

**Monday, June 06, 2016**

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. This time is only an estimate and is not to be considered as time guaranteed. The public and applicants are advised to arrive early.

**ROLL CALL:**

**PRESENT:** Leslie Terry, Glenn Marshall, Melissa Guise and Ellen Carroll

**ABSENT:** None

Chairperson Ellen Carroll: opens meeting.

**PUBLIC COMMENT PERIOD**

- Members of the public wishing to address the Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Chairperson Ellen Carroll: opens public comment with no one coming forward.

**CONSENT AGENDA**

- April 4, 2016 SRB DRAFT Minutes

**Consent item 2, April 4, 2016 SRB Minutes, is approved via voice vote by the County Subdivision Review Board and is available on file at the office of the Planning and Building Department.**

**Motion by:** Melissa Guise

**Second by:** Glenn Marshall

| <b>BOARD MEMBERS</b> | <b>AYES</b> | <b>NOES</b> | <b>ABSTAIN</b> | <b>RECUSE</b> |
|----------------------|-------------|-------------|----------------|---------------|
| Carroll, Ellen       | x           |             |                |               |
| Guise, Melissa       | x           |             |                |               |
| Marshall, Glenn      | x           |             |                |               |
| Terry, Leslie        | x           |             |                |               |

- A request for a second time extension by **MARY MATAKOVICH** for a Tentative Parcel Map (CO05-0183) to subdivide an existing 8,083 square foot parcel into three parcels of 1,478, 1,345, and 1,618 square feet each for the purpose of sale and development and one common lot of 3,642 square feet and construction of three residential dwelling units of 1,645 square feet each. The project will result in the disturbance of approximately 6,640 square feet of an 8,083 square foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at 250 Laurel Street, in the community of Avila Beach. The site is in the San Luis Bay (Coastal) planning area.

**County File No:** SUB2004-00379

Supervisory District: 3

**Project Manager:** James Caruso

Assessor Parcel Number: 076-201-078

Date Approved: N/A

**Recommendation:** Approval

**Consent item 3, a request for a second time extension by MARY MATAKOVICH is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Melissa Guise

**Second by:** Glenn Marshall

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  | x    |      |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

## **HEARINGS**

4. A request by **TONI and RON MESECHER** for an adjustment/exception to the improvement requirements for undergrounding of utilities and road improvements for an approved Tentative Parcel Map (CO13-0105) pursuant to Section 21.03.020 of the Real Property Division Ordinance. The Tentative Parcel Map is a request to subdivide an approximately 57,558 square foot parcel into two parcels of 45,653 and 11,905 square feet each (with associated road, drainage and utility improvements). The purpose of the Tentative Parcel Map is to allow separate ownership of two existing residences. The project site is within the Residential Single Family land use category and is located at 1351 Ramona Avenue, approximately 500 feet west of South Bay Boulevard, in the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

**County File Number: SUB2013-00065**

Supervisory District: 2

**Project Manager: Brandi Cummings**

Assessor Parcel Number.: 074-271-013

Date Approved: February 2, 2015

**Recommendation: Approve**

Brandi Cumming, Project Manager: presents staff report via power point.

Glenn Marshall: requests clarifications on the road improvements with staff responding.

Glenn Marshall: recommends to revise Condition 5a. Reads revision into the record.

**The Subdivision Review Board notes a Class 15 Categorical Exemption (Section 15315) was issued on December 31, 2014 (ED14-150) and approves Document Number: 2016-008\_SRB to TONI and RON MESECHER based on Findings A. through R. in Exhibit A and subject to the Conditions 1 through 8 in Exhibit B; Revising Condition 5a to read " Prior to finaling a residential building permit, roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:" adopted.**

**Motion by:** Glenn Marshall

**Second by:** Melissa Guise

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  | x    |      |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

5. A request by **JOHN & TIA DOWDEN** for a Vesting Tentative Parcel Map (CO 15-0057) to subdivide an existing ten acre parcel into two parcels of five acres each for the purpose of sale and/or development. The project includes road improvements to Aloma Way fronting the site. The project will result in site disturbance of approximately 10,000 square feet of a ten acre parcel for road improvements with up to an additional two acres as the parcels are developed. The proposed project is within the Residential Rural land use category, and is located at 400 Aloma Way, approximately 2,500 feet northeast of the Halcyon Road/Aloma Way intersection. The site is in the South County Inland sub area of the South County planning area.

**County File Number: SUB2015-00037**

Supervisory District: 4

**Project Manager: Stephanie Fuhs**

Assessor Parcel Number: 075-232-003

Date Accepted: March 2, 2016

**Recommendation: Approval**

Stephanie Fuhs, Project Manager: presents staff report via power point. Also discusses adding new Conditions 32g.

Melissa Guise: states reasons she cannot support this proposed project.

Bill Dyer, Agent: questions the trail requirement with Mr. Marshall responding. Also, Stephanie Fuhs responds to question.

Glenn Marshall: speaks to adding new Conditions 32c under the Additional Map Sheet. Reads New Condition 32c into the record.

**The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environment Quality Act, Public Resources Code Section 21000 et seq. and approves Document Number: 2016-009\_SRB granting Vesting Tentative Parcel Map (SUB2015-00037/CO 15-0057) to JOHN & TIA DOWDEN based on the Findings A. through J. in Exhibit A and subject to the Revised Conditions 1 through 35; In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 2 Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits. Adding New Condition 32c to read "In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 2 Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits." relettering as needed and Revised Condition 32g to read "Prior to any site disturbance, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure." adopted.**

**Motion by:** Glenn Marshall

**Second by:** Leslie Terry

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  |      | x    |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

6. Hearing to consider a request by **CARLOS CASTANEDA** for a Vesting Tentative Parcel Map (CO 15-065) to subdivide two existing parcels totaling approximately 21 acres into four parcels of approximately 5.20 acres each for the purpose of sale and/or development. The project includes road improvements to Pomeroy Road and Rocky Place fronting the property. The project will result in site disturbance of approximately 10,000 square feet (for road improvements). The proposed project is within the Residential Rural land use category. The project is located at 1650 Rocky Place, at the north east corner of Rocky Place and Pomeroy Road, approximately three miles northwest of the community of Nipomo. The site is in the South County Sub-area of the South County planning area.

**County File Number: SUB2015-00009**

Supervisory District: 4

**Project Manager: Stephanie Fuhs**

Assessor Parcel Numbers: 091-073-021 & -022

Date Accepted: December 9, 2015

**Recommendation: Approval**

Stephanie Fuhs, Project Manager: present staff report via power point.

Melissa Guise: states reasons she cannot support the proposed project.

Emily Ewer, Agent: requests revision on NCSD letter regarding not issuing will serve letters, clarifies no moratorium and the NCSD is issuing will serve letters. Requests to delete **Conditions 2a**; Clarifies condition 18; requests to modify Condition 26. Also, states available for any questions.

Terry Wahler, Planning Staff: requests clarification on if this is a road exemption request. Discusses the procedure on requesting a road exemption request, refers question to County Counsel.

Ben Dorr: County Counsel: states that the applicant is requesting adjustment exception to Title 21 it needs to be in writing at the time of application.

Glenn Marshall: states from Public Works standpoint, the road improvement request would not be supported.

Terry Wahler, Planning Staff: raises the question if road exemption should be put in the advertising notice, so the neighbors have the right to know if there will not be any road improvements required by the developer.

Emily Ewer, Agent: states would like support of the project and to not continue it at this time.

Glenn Marshall: requests clarification on the other Condition revisions by the Agent, Condition 18 and Condition 26. States is fine with both revisions.

Stephanie Fuhs, Project Manager: states the revision to Condition 26. Although Condition 18 is a standard Condition.

Ben Dorr, County Counsel: states the revision to Condition 26 is fine suggests adding "approved by county counsel".

**The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Document Number: 2016-010\_PDH granting Vesting Tentative Parcel Map (SUB2015-00009/CO 15-065) to CARLOS CASTANEDA based on the Findings A. through J. in Exhibit A and subject to the Amended Conditions 1 through 30 in Exhibit B; Deleting Condition 25g and relettering, Modifying Condition 26 to read "The developer shall submit proposed covenants, conditions, and restrictions or other organized and perpetual mechanism to ensure inspection, operation and maintenance for the subdivision**

to the county Department of Planning and Building for review and approval and recordation along with the map, in a form approved by County Counsel. The CC&R's shall provide at a minimum the following provisions:"; Deleting Condition 26g; Deleting Condition 29 and renumbering as needed. adopted.

**Motion by:** Glenn Marshall

**Second by:** Leslie Terry

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  |      | x    |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

7. A request by **JOHN BUNYEA** for a Vesting Tentative Parcel Map (CO 15-0027) to subdivide an existing +/-115 acre parcel into 2 parcels of 28.18 acres and 86.73 acres. One single family residence is located on each proposed parcel. No new construction or land disturbance is proposed at this time. A building envelope is shown on proposed Parcel 1 which would be the location of a second dwelling on Parcel 1. No secondary residence is proposed for Parcel 2 and no off site road improvements are required. The project is within the Rural Lands land use category and is located on the east side of Adobe Canyon Rd, approximately 1000 feet north of Rocky Canyon Rd (3393 Adobe Canyon Rd). The site is in the El Pomar subarea of the North County planning area. Also to be considered is the approval of the environmental document. A negative declaration was issued on May 12, 2016.

**County File Number: SUB2015-00012**

Supervisory District: 5

**Project Manager: James Caruso**

Assessor Parcel Number: 034-441-021

Date Accepted: December 19, 2015

**Recommendation: Approval**

James Caruso: Project Manager: presents staff report via power point.

Melissa Guise: states reasons she can no support the proposed project.

Jamie Kirk: Agent: states is in agreement with the staff conditions of approval and request all members approve the subdivision, chapter 6 of the Clean Air Plan actually does support rural densities of 20 acre parcel sizes or larger.

Melissa Guise: states she will have to review the Clean Air Plan and will abstain from this vote. Questions County Counsel if this is an option with County Counsel responding.

**The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Document Number: 2016-011\_SRV granting Vesting Tentative Parcel Map (SUB2015-00012/CO 15-0027) to JOHN BUNYEA based on the Findings A. through I. in Exhibit A and subject to the Conditions 1 through 9 in Exhibit B. adopted.**

**Motion by:** Glenn Marshall

**Second by:** Leslie Terry

| BOARD MEMBERS  | AYES | NOES | ABSTAIN | RECUSE |
|----------------|------|------|---------|--------|
| Carroll, Ellen | x    |      |         |        |
| Guise, Melissa |      |      | x       |        |

|                 |   |  |  |  |
|-----------------|---|--|--|--|
| Marshall, Glenn | x |  |  |  |
| Terry, Leslie   | x |  |  |  |

**PLANNING STAFF UPDATES**

8. This is the time staff provides updates to the Review Authority for items not on the agenda.

None.

**ADJOURNMENT**

**Next Scheduled Meeting: July 11, 2016**, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary**  
**Subdivision Review Board**

**Minutes will approved at the November 7, 2016 Subdivision Review Board meeting.**

**Monday, July 11, 2016**

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. This time is only an estimate and is not to be considered as time guaranteed. The public and applicants are advised to arrive early.

**ROLL CALL:**

**PRESENT:** Leslie Terry, Glenn Marshall, Melissa Guise, and Ellen Carroll

**ABSENT:** None

Chairperson Ellen Carroll: opens meeting.

**PUBLIC COMMENT PERIOD**

- Members of the public wishing to address the Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Chairperson Carroll: opens & closes public comment with no one coming forward.

**CONSENT AGENDA**

- May 2, 2016 SRB DRAFT Minutes

**Consent item 2, May 2, 2016 SRB Minutes, is approved via voice vote by the County Subdivision Review Board and is available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry

**Second by:** Melissa Guise

| <b>BOARD MEMBERS</b> | <b>AYES</b> | <b>NOES</b> | <b>ABSTAIN</b> | <b>RECUSE</b> |
|----------------------|-------------|-------------|----------------|---------------|
| Carroll, Ellen       | x           |             |                |               |
| Guise, Melissa       | x           |             |                |               |
| Marshall, Glenn      | x           |             |                |               |
| Terry, Leslie        | x           |             |                |               |

- A request for a fourth time extension by **HOWARD & PEPPER, Inc.** for a Tentative Parcel Map (CO 03-0301) / Minor Use Permit to subdivide a 4.2 acre parcel into three parcels of 1.65 acres, 1.71 acres and .90 acre each for the purpose of sale and development. The Development Plan authorized a commercial complex that includes 18,708 square feet of self-storage, 6,792 square feet of auto parts sales and service and 8,701 square feet of office space and project related grading of 4.2 acres. The proposed project is within the Commercial Service land use category and is located at the northern

corner of the North Frontage Road and Sandydale Drive intersection, in the community of Nipomo. The site is in the South County sub-area of the South County Area Plan.

**County File Number: S000385P/D020113P**

Supervisory District: 4

**Project Manager: Stephanie Fuhs**

Assessor Parcel Number: 091-325-022

Date Accepted: N/A

**Recommendation: Approval**

**Consent item 3, a request for a fourth time extension by HOWARD & PEPPER, INC. is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry

**Second by:** Melissa Guise

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  | x    |      |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

## **HEARINGS**

4. A request by **JOANNE BURKE** for a Tentative Parcel Map (CO 16-0122) to subdivide two parcels totaling 3.8 acres into three parcels of 1.2, 1.3 and 1.3 acres each for the purpose of sale and/or development with related road/access and drainage improvements. The project is the re-subdivision of Parcels 8 and 9 of Tract 2368, a Commercial Service subdivision that was recorded in 2006. The proposal will not increase the maximum amount of building square footage allowed on the original parcel or increase the allotted amount of water that was approved with the previous subdivision. The proposed project is within the Commercial Service land use category and is located at 1167 and 1197 Farmhouse Lane, adjacent to the southeastern boundary of the City of San Luis Obispo. The site is in the San Luis Obispo subarea of the San Luis Obispo planning area. Also to be considered is the environmental document. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Mitigated Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Mitigated Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; and 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Mitigated Negative Declaration has been identified. No new mitigation measures have been proposed.  
County File Number: SUB2015-00058  
Supervisory District: 3  
**Project Manager: Stephanie Fuhs**  
APN(s): 076-512-008 & -009  
Date Accepted: May 2, 2016  
**Recommendation: Approval**

Stephanie Fuhs, Project Manager: presents staff report via power point. Also, discusses revisions received prior to the meeting, revisions Condition 16J & 16L, read revisions into the record.

Glenn Marshall: discusses clerical issue on Condition 12.

Emily Ewer, Oasis Associates: states is available for questions and echo's staff recommendation for approval.

The Subdivision Review Board notes consistency of previously adopted Negative Declaration on August 14, 2013 for Tract 2368 and approves Document Number: 2016-012\_SRB granting Tentative Parcel Map (SUB2015-00058/CO16-0122) to JOANNE BURKE based on the Findings A. through J. and subject to the Revised Conditions (received before meeting) 1 through 23 in Exhibit B; also, re-lettering as needed on Condition 12a-12c; Modifying numbering starting with Condition 13, and noting revision on Condition 16j - 16l as noted on memo dated July 6, 2016. adopted.

**Motion by:** Glenn Marshall

**Second by:** Leslie Terry

| BOARD MEMBERS   | AYES | NOES | ABSTAIN | RECUSE |
|-----------------|------|------|---------|--------|
| Carroll, Ellen  | x    |      |         |        |
| Guise, Melissa  | x    |      |         |        |
| Marshall, Glenn | x    |      |         |        |
| Terry, Leslie   | x    |      |         |        |

#### **PLANNING STAFF UPDATES**

5. This is the time staff provides updates to the Review Authority for items not on the agenda.

None.

#### **ADJOURNMENT**

**Next Scheduled Meeting: September 12, 2016**, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary**  
**Subdivision Review Board**

**Minutes will approved at the November 7, 2016 Subdivision Review Board meeting.**



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

*Promoting the wise use of land  
Helping build great communities*

**SUBDIVISION REVIEW BOARD**

|  |  |  |  |
|--|--|--|--|
| <b>MEETING DATE</b><br>November 7, 2016  | <b>CONTACT/PHONE</b><br>Jo Manson (805) 781-4660<br>jmanson@co.slo.ca.us | <b>APPLICANT</b><br>Najdik Amirian           | <b>FILE NO.</b><br>CO 08-0115<br>SUB2008-00046 |
| <b>SUBJECT</b><br>A request for a <b>First Time Extension</b> by <b>NAJDIK AMIRIAN</b> for a Conditional Use Permit and concurrent Vesting Tentative Parcel Map to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85 acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101. The proposed project is within the Commercial Retail land use category and is located at the northeast corner of Highway 101 and Vineyard Drive, in the community of Templeton. The site is in the Salinas River Sub-area in the North County planning area. |  |  |  |
| <b>RECOMMENDED ACTION</b><br>Approve the <b>first time extension request</b> for Vesting Tentative Parcel Map CO 08-0115 and Conditional Use Permit.   |  |  |  |
| <b>ENVIRONMENTAL DETERMINATION</b><br>A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on July 1, 2010 for this project. The Negative Declaration was approved by the Subdivision Review Board on September 13, 2010.   |  |  |  |
| <b>LAND USE CATEGORY</b><br>Commercial Retail  | <b>COMBINING DESIGNATION</b><br>None                                     | <b>ASSESSOR PARCEL NUMBER</b><br>041-211-011 | <b>SUPERVISOR</b><br>DISTRICT(S): 1            |
| <b>PLANNING AREA STANDARDS:</b> Templeton Design Plan  |  |  |  |
| <b>LAND USE ORDINANCE STANDARDS:</b><br>22.22.090 – Subdivision Design; 22.10 – 22.20 Site Planning and Project Design Standards   |  |  |  |
| <b>EXISTING USES:</b> vacant   |  |  |  |
| <b>SURROUNDING LAND USE CATEGORIES AND USES:</b><br>North: Residential Suburban / Residential      East: Public Facilities / Templeton Middle School<br>South: Public Facilities / Undeveloped and Templeton High School      West: Commercial Retail / Highway 101  |  |  |  |
| <b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b><br>Vesting tentative parcel map and conditional use permit were originally referred to Templeton Advisory Group, Public Works, Environmental Health, Templeton Community Services District, Templeton Fire, Templeton School District, Cal Trans, APCD, Agricultural Commissioner, Parks, Building, RWQCB, City of Paso Robles, and City of Atascadero   |  |  |  |
| <b>TOPOGRAPHY:</b><br>Gently rolling to moderately sloping   |  | <b>VEGETATION:</b><br>Grasses, oak woodland  |  |
| <b>PROPOSED SERVICES:</b><br>Water supply: Community system<br>Sewage Disposal: Community sewage disposal system<br>Fire Protection: Templeton Fire Department   |  | <b>ACCEPTANCE DATE:</b><br>N/A               |  |
| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:<br/>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>   |  |  |  |

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 08-0115 was approved by the Subdivision Review Board (SRB) on September 13, 2010 and was set to expire on September 13, 2016. The applicant has requested a **first one year time extension and paid the extension application fee on August 11, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map (CO 08-0115) and Conditional Use Permit is a request by Najdik Amirian to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85 acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 13, 2012. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2016.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

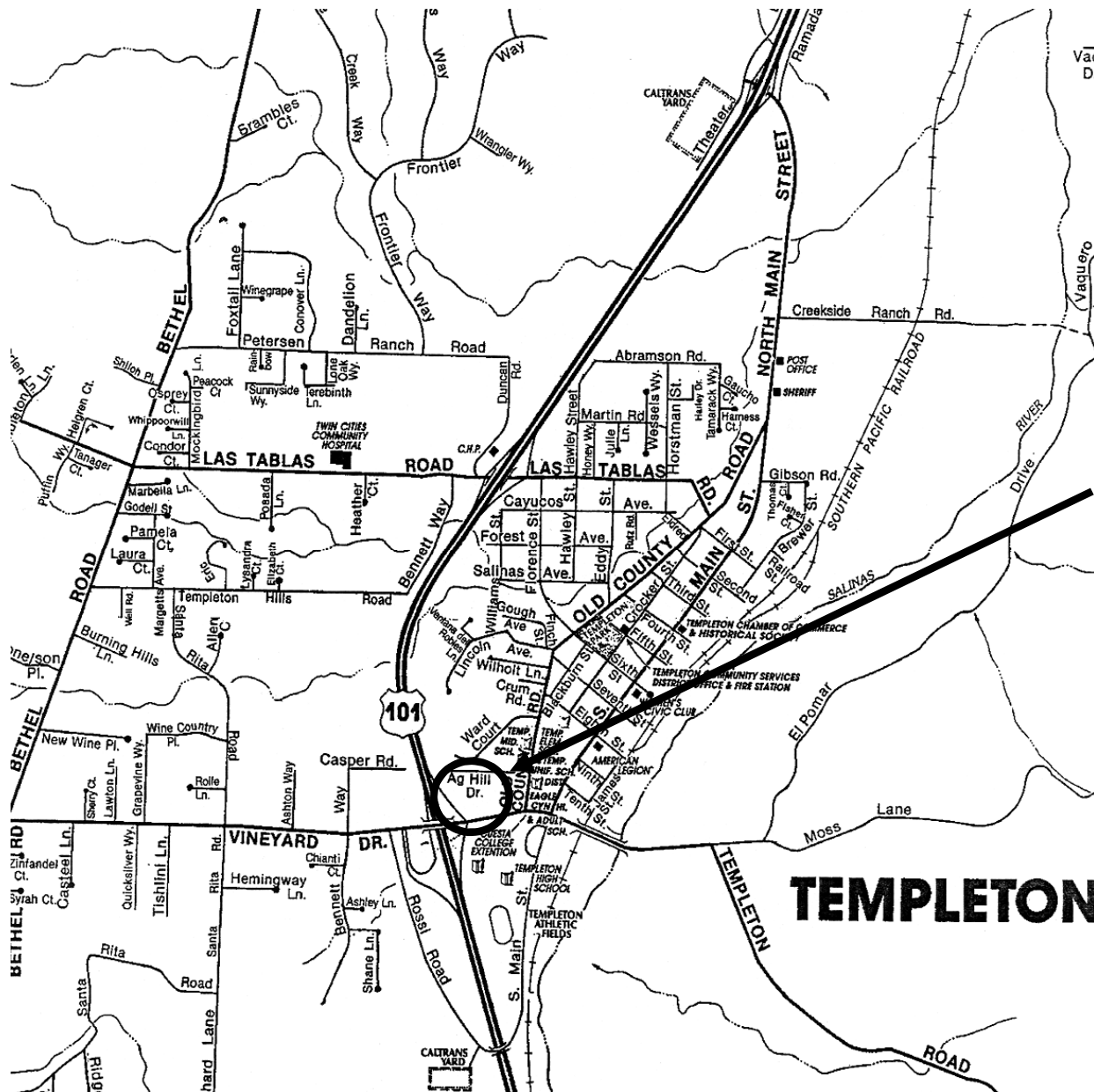
After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to September 13, 2017 subject to the conditions of approval set by the Subdivision Review Board on September 13, 2010.

### **ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, September 13, 2010

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner



**SITE**

**TEMPLETON**

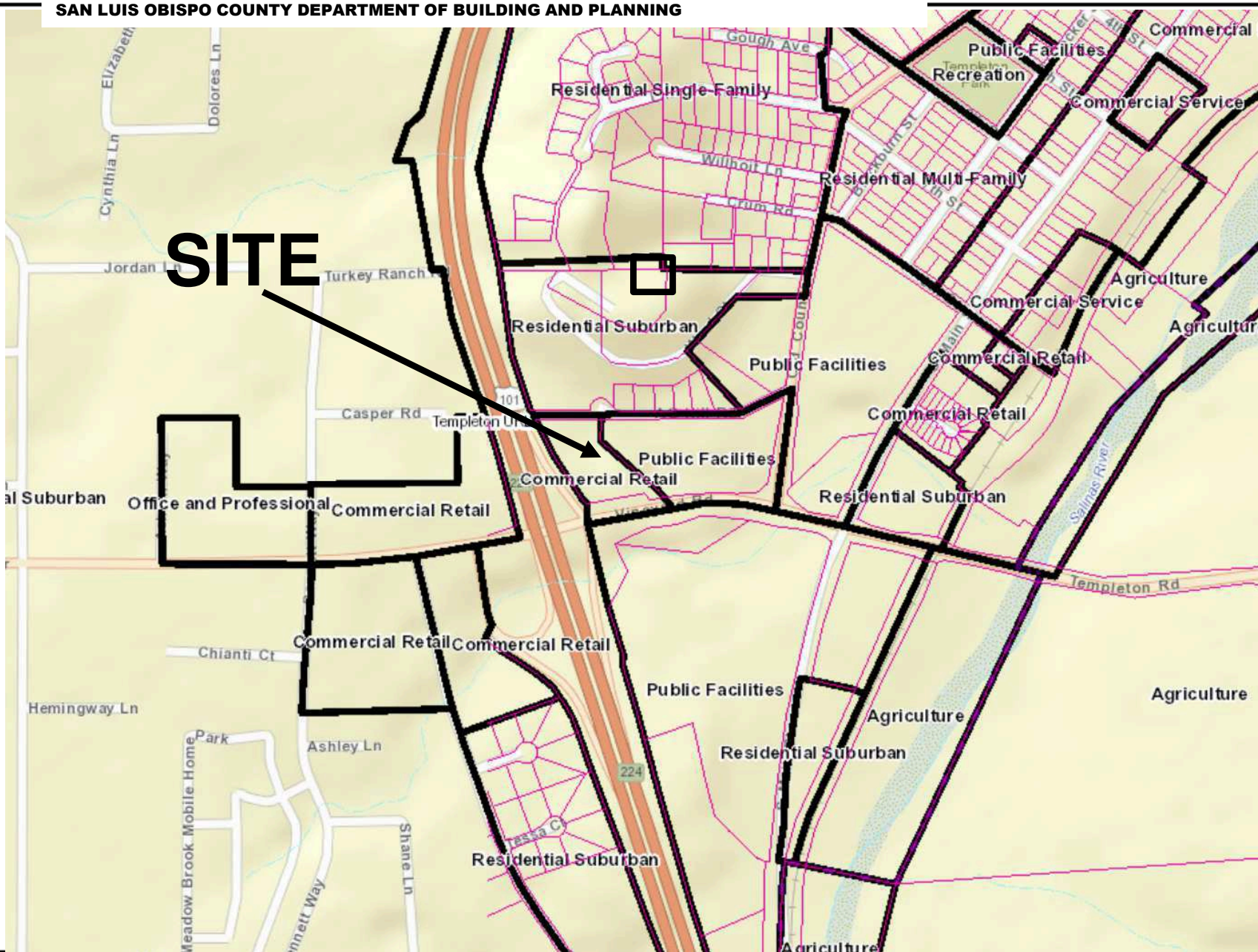
**PROJECT**

Parcel Map CO 08-0115 and Conditional Use Permit  
Amirian SUB2008-00046



**EXHIBIT**

Vicinity Map



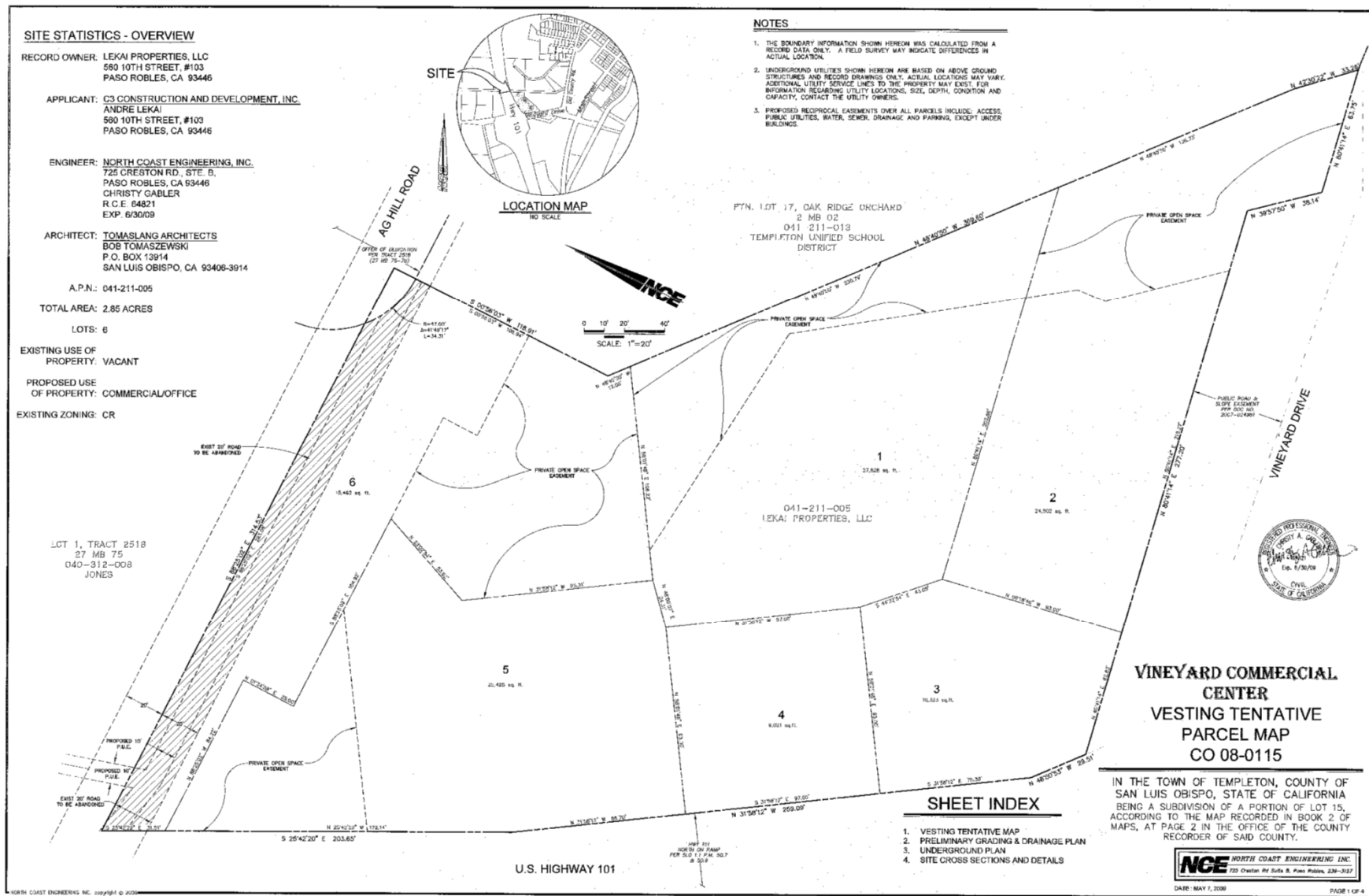
**PROJECT**

Parcel Map CO 08-0115 and Conditional Use Permit  
Amirian SUB2008-00046



**EXHIBIT**

Land Use Category



**PROJECT**

Parcel Map CO 08-0115 and Conditional Use Permit  
Amirian SUB2008-00046



**EXHIBIT**

Vesting Tentative Map

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

September 17, 2010

Kirk Consulting  
Attn: Mandi Pickens  
8830 Morro Road  
Atascadero, CA 93422

## NOTICE OF FINAL COUNTY ACTION

HEARING DATE: September 13, 2010

SUBJECT: LEKAI PROPERTIES  
County File Number: SUB2008-00046 / CO 08-0115  
Document Number: 2010-014\_SRB

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

If the use authorized by this Conditional Use Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.64.060 of the Land Use Ordinance.

If the use authorized by this Conditional Use Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six months (6) or conditions have not been complied with, such Conditional Use Permit approval shall become void.

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00.00 and must accompany your appeal form.

If you have questions regarding your project, please contact your **Project Manager, Holly Phipps**, at (805) 781-5600. If you have any questions regarding these procedures, please contact me at (805) 781-5718.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Retana".

NICOLE RETANA, SECRETARY  
COUNTY SUBDIVISION REVIEW BOARDcc: Public Works Department  
COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

**FINDINGS - EXHIBIT A**  
**Conditional Use Permit / SUB2008-00046**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 3, 2010 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology/soils, noise, public services/utilities, water, and transportation/circulation and are included as conditions of approval.

*Conditional Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed commercial development does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed commercial development will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Vineyard Drive, a road which is located in the Templeton Road Fee area and is subject to road fees which will mitigate for the increase in traffic resulting from the project.

*Adjustment*

- G. Shared on-site parking is appropriate because the project includes two or more nonresidential uses and the total number of adjusted spaces for the entire center (92), is no less than the number of spaces for the single use (Building E) which is required to provide the most parking which is 43 spaces.
- H. An off-site parking adjustment is appropriate because the most distant parking space is located within 400 feet of one of the proposed uses, the project has been conditioned to require a lease agreement for the off-site parking, and it can be demonstrated that the principal use of the site is allowable within the Residential Suburban category.

**CONDITIONS OF APPROVAL- EXHIBIT B**  
**Conditional Use Permit / SUB2008-00046**

**Approved Development**

1. This approval authorizes
  - a. The subdivision of an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet to 19,475 square feet for development of a retail center.
  - b. Development of five commercial buildings of 3,128, 4,576, 4,964 and 5,145 square feet each totaling approximately 21,000 square feet.
2. Proposed specific uses of the structures shall be subject to review and approval of the change in building occupancy by the Building Division of the Department of Planning and Building prior to issuance of a business license. Proposed uses shall also be subject to the review and approval of the Department of Planning and Building to determine conformity with applicable Land Use Ordinance requirements and conditions of this approval including but not limited to allowed uses, number of parking spaces required, and signage proposed.
3. In addition to the following conditions of approval, the applicant shall comply with the conditions of approval for CO 08-0115 regarding access and improvements, improvement plans, drainage, and utilities.

**Conditions required to be completed at the time of application for construction permits**

**Site Development**

4. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, architectural elevations, color boards, and shall be in compliance with the Templeton Design Plan.
5. **(VS-1) At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed buildings consistent with the approved conceptual plans color boards structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator with Building B to be reduced by two chromo values. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.
6. **(VS-2) At the time of application for construction permits**, the applicant shall provide an exterior lighting plan consistent with the approved conceptual plans. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Highway 101, Vineyard Drive, and Ag Hill Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first. The height of free standing or security outdoor lighting fixtures shall be kept as low as is practically possible and no higher than 3 feet (on the northern most parking lot, closest to Ag Hill Road) so that they are not visible from Highway 101, Vineyard Drive, and Ag Hill Road. Security lighting shall be shielded so as not to create glare when viewed from Highway 101, Vineyard Drive, and Ag Hill Road.

7. **(VS-3) At the time of application for construction permits**, the applicant shall comply with the approved signage plan. No signs shall be constructed, displayed or altered without first obtaining a sign permit (Zoning Clearance). Parcel Signage is defined as wall signage (including freeway oriented wall signs), marquee, suspended, marquees projecting signs and others as allowed in a Commercial land use category, set forth by the Land Use Ordinance, Section 22.20.060.1.(a-e) in addition to the following provisions:

- a. Parcel 1 (Building E), Parcel 4 (Building C), and Parcel 5 (D) shall have a maximum of 100 square feet of signage area each.
- b. Parcel 2 (Building A) and Parcel 3 (Building B) shall have a maximum of 150 square feet of signage area each.
- c. Freeway Oriented Wall signs (wall mounted) shall be allowed on Buildings A, B, C, and D. These signs shall be uniform, by maintaining a visible lettering size proportion in height (15 inches) and length (15 inches) for each letter, not to exceed 15 percent of the building face which may include the logo, not to exceed 4 square feet. Freeway Oriented Wall signs may be located on the parapet since a majority of the buildings are covered by topography and landscaping.
- d. The proposed Shopping Center is allowed a Monument sign (totaling 60 square feet and the height shall not exceed 36 inches) located at the entrance that may display the name of the center. This Monument sign may be located within the County Right-of-Way if authorized with an encroachment permit. An additional Monument sign **(5 feet in height and 4 feet wide)** is allowed 100 feet inside the driveway entrance that may display the tenants names. The tenant names on this Monument sign shall be allotted the same size and proportion and shall have a uniform color. These Monument signs shall not be internally illuminated.
- e. Wall signs for each business or tenant, with the number of such signs allowed being equivalent to the number of building faces having a public entrance to the business. The allowed area for the wall signs shall be 15 percent of the building face, up to a maximum of 80 square feet. Such wall signs may be located on building faces other than those with public entrances.
- f. One suspended sign with a maximum area of 10 square feet for each business or tenant.
- g. One projecting sign with a maximum area of 20 square feet for each business or tenant.
- h. Marquee signing for each business or tenant, with a maximum area of 40 square feet.
- i. Internally illuminated signage is prohibited.
- j. Signs shall only use shielded light fixtures mounted on the top of the sign structure and shall not exceed 1 foot candle reflected at 10 feet.

8. **(VS-4) At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications consistent with the approved conceptual plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16 Landscaping Standards of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately screen between the western property line and Buildings B, C, D and the parking lot. The landscape plan shall utilize only plant material consistent with the LUO's

Landscape Standards/ Plan Section. All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section 22.16 of the San Luis Obispo County Land use Ordinance.

9. **(VS-5) At the time of application for construction permits**, all plans shall indicate retaining walls, sound walls, and understories to be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 101, Vineyard Drive, and Ag Hill Road. Landscaping that will either screen from in front or grow over from above the wall shall be established prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.

#### **Fire Safety**

10. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the Templeton Fire Department for this proposed project and dated 1/14/2009.

#### **Services**

11. **At the time of application for construction permits**, the applicant shall provide a letter from Templeton Community Services District stating they are willing and able to service the property.

#### **Conditions to be completed prior to issuance of a construction permit**

#### **Fees**

12. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school, public facilities fees and Templeton Road Fees.

#### **Mitigations / Air Quality**

13. **(AQ-1) Prior to construction/grading permit issuance**, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptor:
- a. No idling shall be allowed for diesel on-road trucks or off-road equipment;
  - b. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the no idling requirement;
  - c. Hauling shall be accomplished during off school hours;
  - d. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.

Prior to commencement of the above construction activities, the applicant shall notify APCD, by letter, that the above air quality mitigation measures have been applied.

14. **(AQ-2) During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading, tract improvement plans, and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such **persons** shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible.
  - b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stock-pile areas shall be sprayed daily as needed.

- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
  - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
  - f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
  - g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
  - j. A stabilized construction entrance shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off before leaving the site.
  - k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
15. **(AQ-3) Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the **District**. If no NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.
16. **(AQ-4) Prior to issuance of construction permit for parcel improvements** and individual lot development, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
17. **(AQ-5) Prior to commencement of construction activities**, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.
18. **(AQ-6)** As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

19. **(AQ-7) Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the project shall include measures that surpass Title 24, 2008 Standards by 10% or more. The following measures shall be incorporated into the project and shown on all applicable plans. Provide parking lot areas with 50% tree cover within 10 years of construction or provide parking lot areas with 50% shade coverage by using trees and shade structures (e.g. trellises, etc) or by using the Templeton Design Plan requirements for landscaping in parking lots and a pavement material with lower albedo levels than asphalt (substitution must be approved by APCD and the Planning Department) Tree species shall be low emitting, low maintenance, native, and drought resistant. Once trees have been planted and prior to occupancy or final inspection, whichever occurs first, the applicant shall retain a qualified individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted, and all measures installed to improve the long term success of these trees. This letter shall be submitted to the Department of Planning and Building.

In addition, a combination of additional measures from the following list shall be incorporated into the project and shown on all applicable plans. Prior to construction permit issuance, the applicant shall provide evidence that all of the combined measures result in a 10 percent improved energy efficiency than the Title 24, 2008 Standards. If not feasible, evidence/justification shall be provided to APCD and the Planning Department.

Here is a list of some of the measures that might be used to meet this goal.

- a. Wall R-21 insulation level with advanced framing techniques applied
- b. R-38 ceiling
- c. Mechanical- 93% AFUE and 13SEER/11EER
- d. Fixed Temperature Economizers
- e. Ducts in conditioned space as possible
- f. Domestic Hot Water
- g. Small Tank point of use units
- h. Day lighting measures
- i. Balance installation of high performance sun tubes through out
- j. Electric Lighting Measures
- k. Title 24 compliance assumed

Alternative mitigation measures from Appendix B of the CAPCOA document (CAPCOA; 2008) may be incorporated/substituted for the ones above based on the applicability to the site and project and approved by County staff. LEED guideline items may be used as well upon approval from APCD and the Planning and Building Department. Even though the LEED guidelines are not part of Title 24 standards, they will help achieve construction of a building with high green standards.

#### **Mitigations / Trees**

20. **(TR-1)** The applicant shall limit tree removal to no more than 13 oak trees having a five inch diameter or larger at four feet from the ground and no more than 32 trees impacted (An oak tree is defined as having a five inch diameter or larger at four feet from the ground). **Prior to construction permit issuance**, construction plans shall clearly delineate all trees the limits of grading of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. **Prior to any ground disturbing activities**, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize impacts for those trees identified as being impacted.
21. **(TR-2)** **At the time of application for construction permits**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of

oak trees to mitigate for trees impacted but not removed. No more than 13 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 32 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). **A total of 116 oak trees (98 coast live oaks and 18 valley oaks) will be required to be replanted.** The replanting of 24 oak trees shall be completed on-site and the remainder oak trees to be planted on a nearby off-site location to be approved by the Planning Department in consultation with the Environmental Division. The Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, plantings shall be during the warmest, driest months.

22. **(TR-3)** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
23. **(TR-4)** All trees to remain on-site that are within the limits of grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading or site grubbing**. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

#### **Mitigations / Nesting Birds - Construction and Grading Activities**

24. **(B-1)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), construction and grading activities shall take place outside the bird nesting season, which is March 15th to August 15th. If construction or grading activities occur during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall

be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

#### **Mitigations / Nesting Birds - Tree Removal**

25. **(B-2)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), tree removal associated with project activities shall be limited outside the bird nesting season, which is March 15th to August 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

#### **Mitigations / Special Status Animals**

26. **(B-3)** Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, a county approved biologist shall conduct a pre-activity (i.e. pre-construction) survey potential for the potential presence of Pallid Bats, Western Spadefoot Toad, CA, Red-legged frog and the American Badger. The applicant shall submit a letter from the biologist to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any of the above stated species activity within the project limits.

#### **Condition Compliance**

27. **At the time of application for construction permit**, the applicant shall submit a condition compliance package to the Planning Department that details each condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.
28. **Prior to issuance of construction permits for tenant improvements or Business License**, the applicant shall provide parking calculations for the proposed tenant and a running total for the entire center. All parking calculation must be in compliance with the Land Use Ordinance.
29. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide a signed agreement from each new tenant which documents their understanding of the conditions of approval and ordinance standards relating to hours of operation, lighting, truck maneuvering and temporary and permanent signage. The agreement must also list the name and contact information for the tenant.

#### **Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

30. **Prior to occupancy or final inspection, whichever comes first**, the public improvements for CO 08-0115 shall be completed prior to occupancy of any new structure.

## ATTACHMENT 2

31. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
32. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from the Templeton Fire Department of all required fire/life safety measures.
33. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

### **On-going conditions of approval (valid for the life of the project)**

34. **Prior to occupancy or final building inspection**, the applicant shall complete the road vacation procedure for the off-site (northern) portion of Ag Hill Road.
35. **Prior to occupancy or final building inspection**, the applicant shall record a parking lease for off-site parking in a form acceptable to County Counsel.
36. This land use permit is valid for a period of 24 months from the map recordation date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
37. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

**FINDINGS - EXHIBIT C**  
**Parcel Map**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 3, 2010 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology/soils, noise, public services/utilities, water, and transportation/circulation and are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of 20,878 square feet of commercial buildings.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support five commercial buildings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because mitigation measures have been determined in order to mitigate the impacts resulting from this project to a level of insignificance.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

*Road Abandonment*

- J. The proposed abandonment of a portion of the AG Hill Road right-of-way totaling 6,280 square feet is consistent with the General Plan. The small portion of roadway is not specifically designated in the Circulation Element as being crucial to the county's circulation system. The current alignment of AG Hill Road provides sufficient access to parcels in the area.
- K. The abandonment of a portion of the AG Hill Road right-of-way totaling 6,280 square feet complies with the provisions of Section 66434(g) of the Subdivision Map Act, which provides that public streets and public easements may be abandoned by recording a Final Map specifically calling out the abandonment of such.

**CONDITIONS - EXHIBIT D  
PARCEL MAP / CO 08-0115**

**Approved Project**

**1. This approval authorizes**

- a. The subdivision of an existing 2.85 acre parcel into 6 parcels ranging in size from 9,021 square feet up to 19,475 square feet,
- b. Development of five commercial buildings totaling approximately 21,000 square feet on the resulting parcels and the remainder of the property would remain as private open space.
- c. The project also includes the abandonment of a portion of Ag Hill Road.

**Access and Improvements**

**2. Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:**

- a. Vineyard Drive:
  - i. Shall be widened to complete the project side of an A-3 section fronting the property.
  - ii. Shall be striped for a two-way left-turn lane, based on a striping plan approved by the Public Works Department.
- b. The private Un-named road which provides access to Lots 1, 3, 4-6 shall:
  - i. Be constructed to a modified A-3 commercial – industrial road section as shown on the Tentative Map to Templeton Fire Department Standards within a private access easement of sufficient width to contain all elements of the roadway prism and terminate in a Templeton Fire Department standard cul-de-sac or other Templeton Fire Department approved terminus.
  - ii. Be constructed to accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t).

**3. Roads and/or streets to be maintained as follows:**

- a. The following streets/roads: Vineyard Drive shall be accepted for County maintenance following completion and certification of the improvements. No maintenance financing service charge shall be required, as these streets/roads are already in the County-maintained system, or are identified as new Principal Arterials, Arterials or Collectors.
- b. The following streets/roads: The private Un-named road which provides access to Lots 1, 3-6 shall not be accepted for County maintenance following completion and certification of the improvements. The developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Public Works.

**4. Access shall be denied to Lots 2 and 3 from Vineyard Drive, except for one (1) sixty foot (60') wide access opening on Lot 2 located as far east as possible consistent with preservation of the on-site oak trees. These access denials and access opening shall be by certificate and designation on the map.**

**5. A private easement shall be reserved on the map for access to Lots 1 and 3-6.**

6. All grading shall be done in accordance with Appendix Chapter 33 of the 1997 Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

7. Improvement plans shall be prepared in accordance with San Luis Obispo County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
  - h. Trail plan, to be approved jointly with the Park Division.
8. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
9. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
10. A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.
11. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

**Improvements / Caltrans**

12. The applicant shall delineate on the grading/drainage plans Caltrans (CT) access control and Right-of-Way (R/W) lines.
13. Caltrans shall not allow grading that compromises the structural integrity of U.S. 101 ramps or mainline segments. The applicant shall attain an encroachment permit including an exception will be needed from Caltrans for grading activities.
14. The proposed retaining walls along U.S. 101 north-bound on-ramp shall maintain a certain distance away from the CT R/W fence line. The general rule of thumb for that distance is the height of the wall (from finish grade to top of wall) "H" distance from the R/W line. So if height of the retaining wall from the finish grade to the top of the wall is 10 feet, then the retaining wall must be 10 feet from the CT R/W fence.

**Drainage**

15. All existing drainage features are to be contained in drainage easement(s) dedicated on the map, to the satisfaction of the Department of Public Works.
16. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be detained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity to incorporate LID features to the extent feasible.
17. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
18. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

**Utilities**

19. All existing and new electric, telephone and/or cable television lines shall be installed underground and service laterals shall be stubbed to each lot.
20. Gas lines shall be installed and service laterals stubbed to each lot.
21. Utility easements, as required by the utility company, shall be shown on the final Parcel Map.

**Fire Protection**

22. The applicant shall obtain a fire safety clearance letter from the Templeton Department establishing fire safety requirements listed in the Fire Letter dated January 14, 2009, prior to filing the final parcel or tract map.

**Parks and Recreation (Quimby) Fees**

23. For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

**Inclusionary House Fees**

24. Prior to filing the final parcel map or tract map, the applicant shall enter into an inclusionary housing agreement to insure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080. As an alternative, the applicant may pay the residential in-lieu fee pursuant to Section 22.12.080.C.2.b, or defer in-lieu fee payment pursuant to Section 22.12.080.J.4.c.

**Road Fees**

25. The project is located in the Templeton Area "A" Road Fee Area. Current Road Fees shall be paid to County Public Works prior to issuance of Building Permits.

**Additional Map Sheet**

26. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. Development shall comply with all conditions of approval of Conditional Use Permit SUB 2008-00046.

- b. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
- c. If a drainage basin is required, on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
- d. Maintenance of all streets/roads within the subdivision, including the requirement that the streets/roads continuously accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t), in perpetuity.
- e. Maintenance of all common areas within the subdivision in perpetuity.
- f. Require that current and future owners of any lot are responsible to notify suppliers of goods and services that all delivery trucks shall park and turn around within the boundary of Parcel Map CO 08-0115 when making deliveries. And that said owners shall notify any lessee of this requirement. The Pinnacle Traffic Engineering letter dated December 11, 2009, which includes design truck specifications and 2 exhibits showing on-site maneuvering shall be included as an exhibit in the CC&R's.
- g. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter from the Templeton Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- h. **Prior to issuance of construction permits**, the applicant shall pay all applicable Templeton Road Impact Fees as determined by the Department of Public Works.

**Templeton's Community Design Plan and Title 22**

- i. Construction plans for all future construction shall show compliance with Templeton's Community Design Plans standards for commercial buildings and applicable requirements of Title 22.

**Mitigations / Air Quality**

- j. **(AQ-1) Prior to construction/grading permit issuance**, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptor:
  1. No idling shall be allowed for diesel on-road trucks or off-road equipment;
  2. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the no idling requirement;
  3. Hauling shall be accomplished during off school hours;
  4. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.

Prior to commencement of the above construction activities, the applicant shall notify APCD, by letter, that the above air quality mitigation measures have been applied.

- k. **(AQ-2) During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading, tract improvement plans, and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such **persons** shall be provided to the APCD prior to commencement of construction.
  1. Reduce the amount of disturbed area where possible.

## ATTACHMENT 2

2. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  3. All dirt stock-pile areas shall be sprayed daily as needed.
  4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
  5. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
  6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
  7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
  10. A stabilized construction entrance shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off before leaving the site.
  11. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- l. **(AQ-3) Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the **District**. If no NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.
- m. **(AQ-4) Prior to issuance of construction permit for parcel improvements** and individual lot development, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
- n. **(AQ-5) Prior to commencement of construction activities**, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.
- o. **(AQ-6)** As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must

complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

- p. **(AQ-7) Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the project shall include measures that surpass Title 24, 2005 Standards by 10% or more. The following measures shall be incorporated into the project and shown on all applicable plans. Provide parking lot areas with 50% tree cover within 10 years of construction or provide parking lot areas with 50% shade coverage by using trees and shade structures (e.g. trellises, etc) or by using the Templeton Design Plan requirements for landscaping in parking lots and a pavement material with lower albedo levels than asphalt (substitution must be approved by APCD and the Planning Department) Tree species shall be low emitting, low maintenance, native, and drought resistant. Once trees have been planted and prior to occupancy or final inspection, whichever occurs first, the applicant shall retain a qualified individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted, and all measures installed to improve the long term success of these trees. This letter shall be submitted to the Department of Planning and Building.

In addition, a combination of additional measures from the following list shall be incorporated into the project and shown on all applicable plans. Prior to construction permit issuance, the applicant shall provide evidence that all of the combined measures result in a 10 percent improved energy efficiency than the Title 24, 2005 Standards

Here is a list of some of the measures that might be used to meet this goal.

1. Wall R-21 insulation level with advanced framing techniques applied
2. R-38 ceiling
3. Mechanical- 93% AFUE and 13SEER/11EER
4. Fixed Temperature Economizers
5. Ducts in conditioned space as possible
6. Domestic Hot Water
7. Small Tank point of use units
8. Day lighting measures
9. Balance installation of high performance sun tubes through out
10. Electric Lighting Measures
11. Title 24 compliance assumed

Alternative mitigation measures from Appendix B of the CAPCOA document (CAPCOA; 2008) may be incorporated/substituted for the ones above based on the applicability to the site and project and approved by County staff. LEED guideline items may be used as well upon approval from APCD and the Planning and Building Department. Even though the LEED guidelines are not part of Title 24 standards, they will help achieve construction of a building with high green standards.

#### **Mitigations / Visual**

- q. **(VS-1) At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed consistent with the approved conceptual plans structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator with building B to be reduced by two

chromo values. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.

- r. **(VS-2) At the time of application for construction permits**, the applicant shall provide an exterior lighting plan consistent with the approved conceptual plans. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from Highway 101, Vineyard Drive, and Ag Hill Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

The height of free standing or security outdoor lighting fixtures shall be kept as low as is practically possible and no higher than 3 feet (on the northern most parking lot, closest to Ag Hill Road) so that they are not visible from Highway 101, Vineyard Drive, and Ag Hill Road.

Security lighting shall be shielded so as not to create glare when viewed from Highway 101, Vineyard Drive, and Ag Hill Road.

- s. **(VS-3) At the time of application for construction permits, the applicant shall comply with the approved a signage plan.** No signs shall be constructed, displayed or altered without first obtaining a sign permit (Zoning Clearance). Parcel Signage is defined as wall signage (including freeway oriented wall signs), marquee, suspended, marquees projecting signs and others as allowed in a Commercial land use category, set forth by the Land Use Ordinance, Section 22.20.060.1.(a-e) in addition to the following provision:

1. Parcel 1 (Building E), Parcel 4 (Building C), and Parcel 5 (D) shall a maximum of 100 square feet of signage area each.
2. Parcel 2 (Building A) and Parcel 3 (Building B) shall have a maximum of 150 square feet of signage area each.
3. Freeway Oriented Wall signs (wall mounted) shall be allowed on Buildings A, B, C, and D. These signs shall be uniform, by maintaining a visible lettering size proportion in height (15 inches) and length (15 inches) for each letter, which may include the logo, not to exceed 4 square feet. Freeway Oriented Wall signs may to locate on the parapet since a majority of the buildings are covered by topography and landscaping.
4. The proposed Shopping Center is allowed a Monument sign (totaling 60 square feet and the height shall not exceed 36 inches) located at the entrance that may display the name of the center. This Monument sign may be located within the County Right-of-Way if authorized with an encroachment permit. An additional Monument sign **(5 feet in height and 4 feet wide)** is allowed 100 feet inside the driveway entrance that may display the tenants names. The tenant names on this Monument sign shall be allotted the same size and proportion and shall have a uniform color. These Monument signs shall not be internally illuminated.
5. Wall signs for each business or tenant, with the number of such signs allowed being equivalent to the number of building faces having a public entrance to the business. The allowed area for the wall signs shall be 15 percent of the building

face, up to a maximum of 80 square feet. Such wall signs may be located on building faces other than those with public entrances.

6. One suspended sign with a maximum area of 10 square feet for each business or tenant.
  7. One projecting sign with a maximum area of 20 square feet for each business or tenant.
  8. Marquee signing for each business or tenant, with a maximum area of 40 square feet.
  9. Internally illuminated signage is prohibited.
  10. Signs shall only use shielded light fixtures mounted on the top of the sign structure and shall not exceed 1 foot candle reflected at 10 feet.
- a. **(VS-4) At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications consistent with the approved conceptual plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16 Landscaping Standards of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately screen between the western property line and Buildings B, C, D and the parking lot.
- The landscape plan shall utilize only plant material consistent with the LUO's Landscape Standards/ Plan Section.
- All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section 22.16 of the San Luis Obispo County Land use Ordinance.
- b. **(VS-5) Retaining** walls, sound walls, and understories shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 101, Vineyard Drive, and Ag Hill Road. Landscaping that will either screen from in front or grow over from above the wall shall be established prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.

#### **Mitigations / Trees**

- c. **(TR-1)** The applicant shall limit tree removal to no more than 13 oak trees having a five inch diameter or larger at four feet from the ground and no more than 32 trees impacted (An oak tree is defined as having a five inch diameter or larger at four feet from the ground). **Prior to construction permit issuance**, construction plans shall clearly delineate all trees the limits of grading of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. **Prior to any ground disturbing activities**, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize impacts for those trees identified as being impacted.
- d. **(TR-2) At the time of application for construction permits**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not

removed. No more than 13 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 32 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). **A total of 116 oak trees (98 coast live oaks and 18 valley oaks) will be required to be replanted.** The replanting of 24 oak trees shall be completed on-site and the remainder oak trees to be planted on a nearby off-site location to be approved by the Planning Department in consultation with the Environmental Division. The Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months.

- e. **(TR-3)** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- f. **(TR-4)** All trees to remain on-site that are within the limits of grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading or site grubbing**. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**Mitigations / Nesting Birds - Construction and Grading Activities**

- g. **(B-1)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), construction and grading activities shall take place outside the bird nesting season, which is March 15th to August 15th. If construction or grading activities occur during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

**Mitigations / Nesting Birds - Tree Removal**

- h. **(B-2)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), tree removal associated with project activities shall be limited outside the bird nesting season, which is March 15th to August 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

**Mitigations / Special Status Animals**

- i. **(B-3)** Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, a county approved biologist shall conduct a pre-activity (i.e. pre-construction) survey potential for the potential presence of Pallid Bats, Western Spadefoot Toad, CA, Red-legged frog and the American Badger. The applicant shall submit a letter from the biologist to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any of the above stated species activity within the project limits.

**Condition Compliance**

- j. **At the time of application for construction permit**, the applicant shall submit a condition compliance package to the Planning Department that details each condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.
- k. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide parking calculations for the proposed tenant and a running total for the entire center. All parking calculation must be in compliance with the Land Use Ordinance.

- I. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide a signed agreement from each new tenant which documents their understanding of the conditions of approval and ordinance standards relating to hours of operation, lighting and temporary and permanent signage. The agreement must also list the name and contact information for the tenant.

#### **Covenants, Conditions and Restrictions**

27. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
  - a. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
  - b. If a drainage basin is required, on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - c. Maintenance of all streets/roads within the subdivision, including the requirement that the streets/roads continuously accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t), in perpetuity.
  - d. Maintenance of all common areas within the subdivision in perpetuity.
  - e. Require that current and future owners of any lot are responsible to notify suppliers of goods and services that all delivery trucks shall park and turn around within the boundary of Parcel Map CO 08-0115 when making deliveries. And that said owners shall notify any lessee of this requirement. The Pinnacle Traffic Engineering letter dated December 11, 2009, which includes design truck specifications and 2 exhibits showing on-site maneuvering shall be included as an exhibit in the CC&R's.
  - f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

#### **Miscellaneous**

28. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
29. Prior to sale or development of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the County.
30. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.
31. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

## ATTACHMENT 2

### STOCK APPROVAL CONDITIONS FOR SUBDIVISIONS WITH COMMUNITY WATER AND SEWER

1. Community water and fire protection is to be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions and related facilities (except well(s)) may be bonded subject to the approval of the County Engineer and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the San Luis Obispo County Health Department.
5. When a potentially operational or operational existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "will serve" letter be obtained and submitted to the county Health and Planning Departments for review and approval stating that community sewer system service is available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of the County Engineer and sewer district.
8. No building permits are to be issued until community sewers are operational and available for connection.
9. An encroachment permit be obtained from the County Engineer for any work to be done within the county right-of-way.
10. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map checkprints to the county Engineering Department, the project must be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements be shown on the map.
14. Approved street names must be shown on the map.
15. The applicant must comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.

## ATTACHMENT 2

16. The developer submit a preliminary subdivision guarantee to the County Engineer for review prior to the filing of the map.
17. Any private easements on the property must be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
19. After approval by the review authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

*Promoting the wise use of land  
Helping build great communities*

**SUBDIVISION REVIEW BOARD**

|  |  |  |  |
|--|--|--|--|
| <b>MEETING DATE</b><br>November 7, 2016  | <b>CONTACT/PHONE</b><br>Jo Manson (805) 781-4660<br>jmanson@co.slo.ca.us | <b>APPLICANT</b><br>Helen Ortiz              | <b>FILE NO.</b><br>CO 06-0095<br>SUB2005-00266 |
| <b>SUBJECT</b><br>A request for a <b>First Time Extension</b> by <b>HELEN ORTIZ</b> for a Tentative Parcel Map (CO 06-0095) to subdivide an existing 26.66 acre parcel into two parcels of 16.19 and 10.47 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Hetrick Road and Cherokee Place. The proposed project is within the Residential Rural land use category. The project is located at the southeastern intersection of Hetrick Road and Willow Road, directly north of Cherokee Place, approximately one mile north of the community of Nipomo, in the South County Inland Sub-area of the South County planning area. |  |  |  |
| <b>RECOMMENDED ACTION</b><br>Approve the <b>first time extension request</b> for Tentative Parcel Map CO 06-0095.  |  |  |  |
| <b>ENVIRONMENTAL DETERMINATION</b><br>A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on July 19, 2007 for this project. The Negative Declaration was approved by the Subdivision Review Board on September 10, 2007.  |  |  |  |
| <b>LAND USE CATEGORY</b><br>Residential Rural  | <b>COMBINING DESIGNATION</b><br>None                                     | <b>ASSESSOR PARCEL NUMBER</b><br>091-301-061 | <b>SUPERVISOR</b><br>DISTRICT(S): 4            |
| <b>PLANNING AREA STANDARDS:</b> 22.98.072 (H) - South County Rural Area Standards for Residential Rural  |  |  |  |
| <b>LAND USE ORDINANCE STANDARDS:</b> 22.22.060 – Residential Rural Subdivision Design standards  |  |  |  |
| <b>EXISTING USES:</b> Single family residence(s), horse facility   |  |  |  |
| <b>SURROUNDING LAND USE CATEGORIES AND USES:</b><br>North: Agriculture / grazing                      East: Residential Rural / Residences<br>South: Residential Rural / undeveloped        West: Residential Rural / Residences   |  |  |  |
| <b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b><br>Vesting tentative parcel map was originally referred to South County Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CalFire, Nipomo Community Services District, APCD   |  |  |  |
| <b>TOPOGRAPHY:</b><br>Gently sloping   |  | <b>VEGETATION:</b><br>Grasses, oak woodland  |  |
| <b>PROPOSED SERVICES:</b><br>Water supply: On-site well<br>Sewage Disposal: Individual septic system<br>Fire Protection: CalFire   |  | <b>ACCEPTANCE DATE:</b><br>N/A               |  |
| <b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b><br>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242  |  |  |  |

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Tentative Parcel Map CO 06-0095 was approved by the Subdivision Review Board on September 10, 2007 and was set to expire on September 10, 2016. The applicant has requested a **first one year time extension and paid the extension application fee on September 7, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body.

Tentative Parcel Map (CO 06-0095) is a request by Helen Ortiz to subdivide an existing 26.66 acre parcel into two parcels of 16.19 and 10.47 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Hetrick Road and Cherokee Place.

This tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 10, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Tentative Parcel Map CO 06-0095 was extended to September 10, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Tentative Parcel Map CO 06-0095 was extended to September 10, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Tentative Parcel Map CO 06-0095 was extended to September 10, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Tentative Parcel Map CO 06-0095 was extended to September 10, 2016.

**Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to September 10, 2017 subject to the conditions of approval set by the Subdivision Review Board on September 10, 2007.

**ATTACHMENTS**

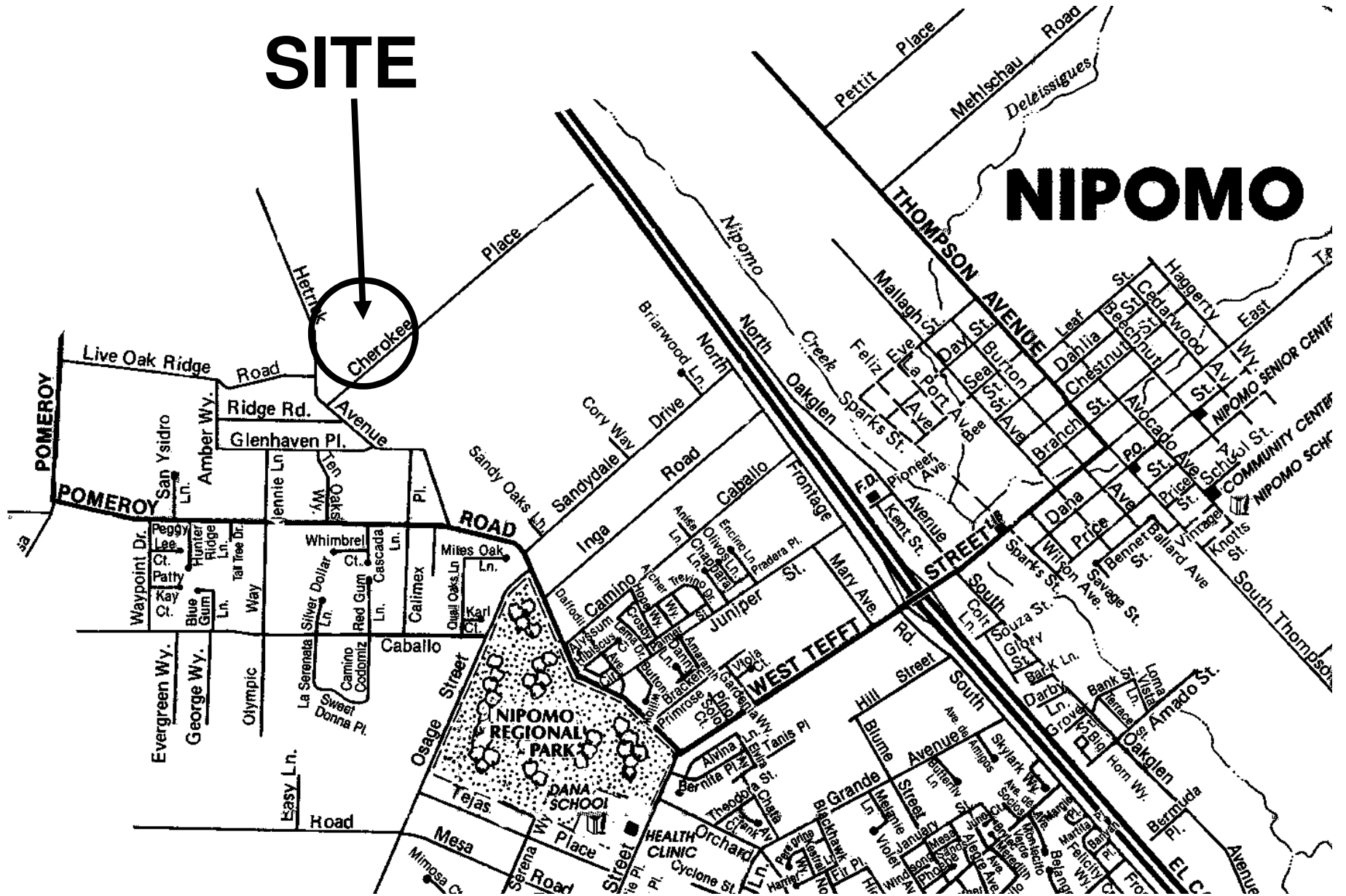
Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, September 10, 2007

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner

**SITE**

**NIPOMO**



ATTACHMENT 1

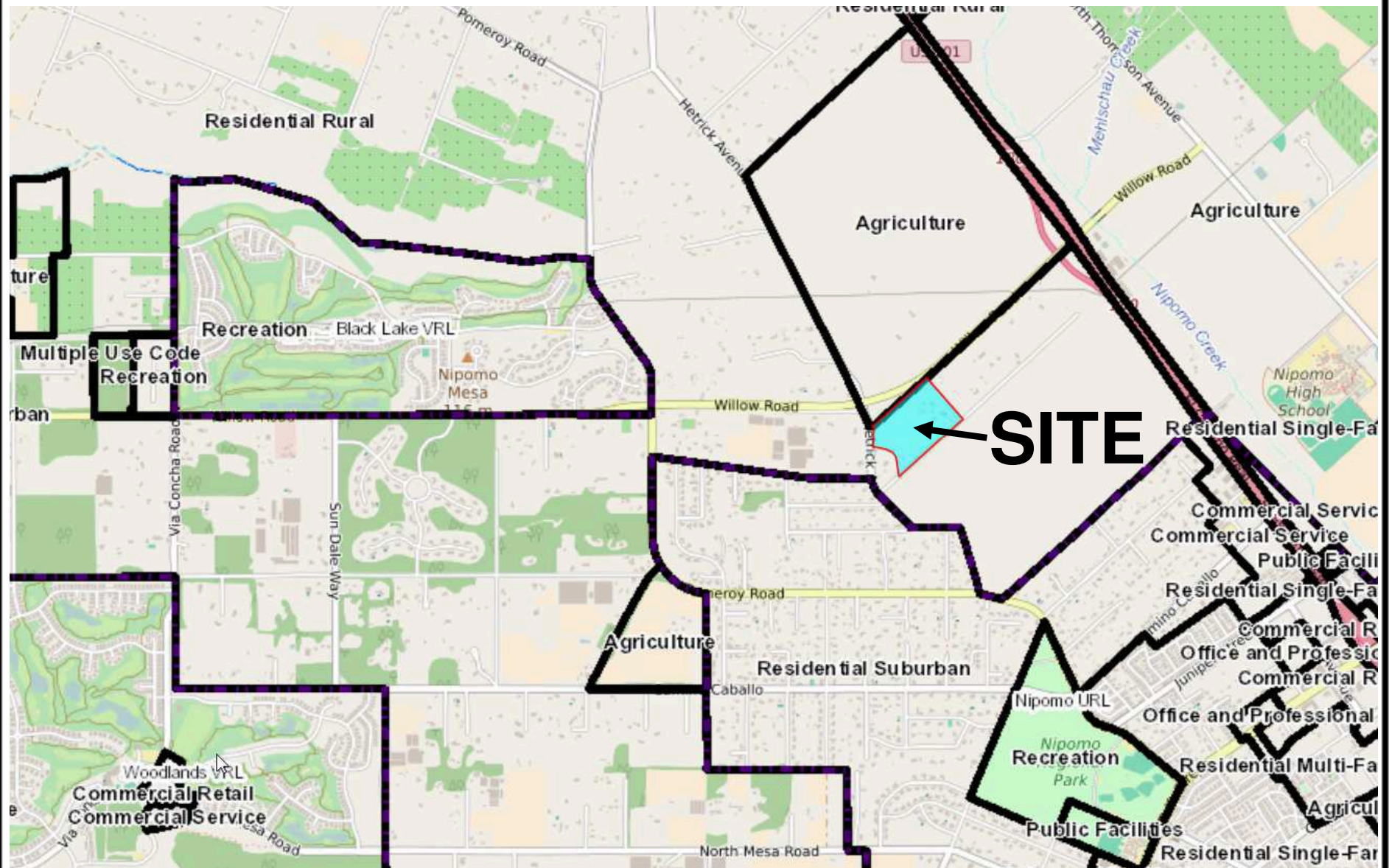
**PROJECT**

Parcel Map CO 06-0095  
Ortiz SUB2005-00266



**EXHIBIT**

Vicinity Map



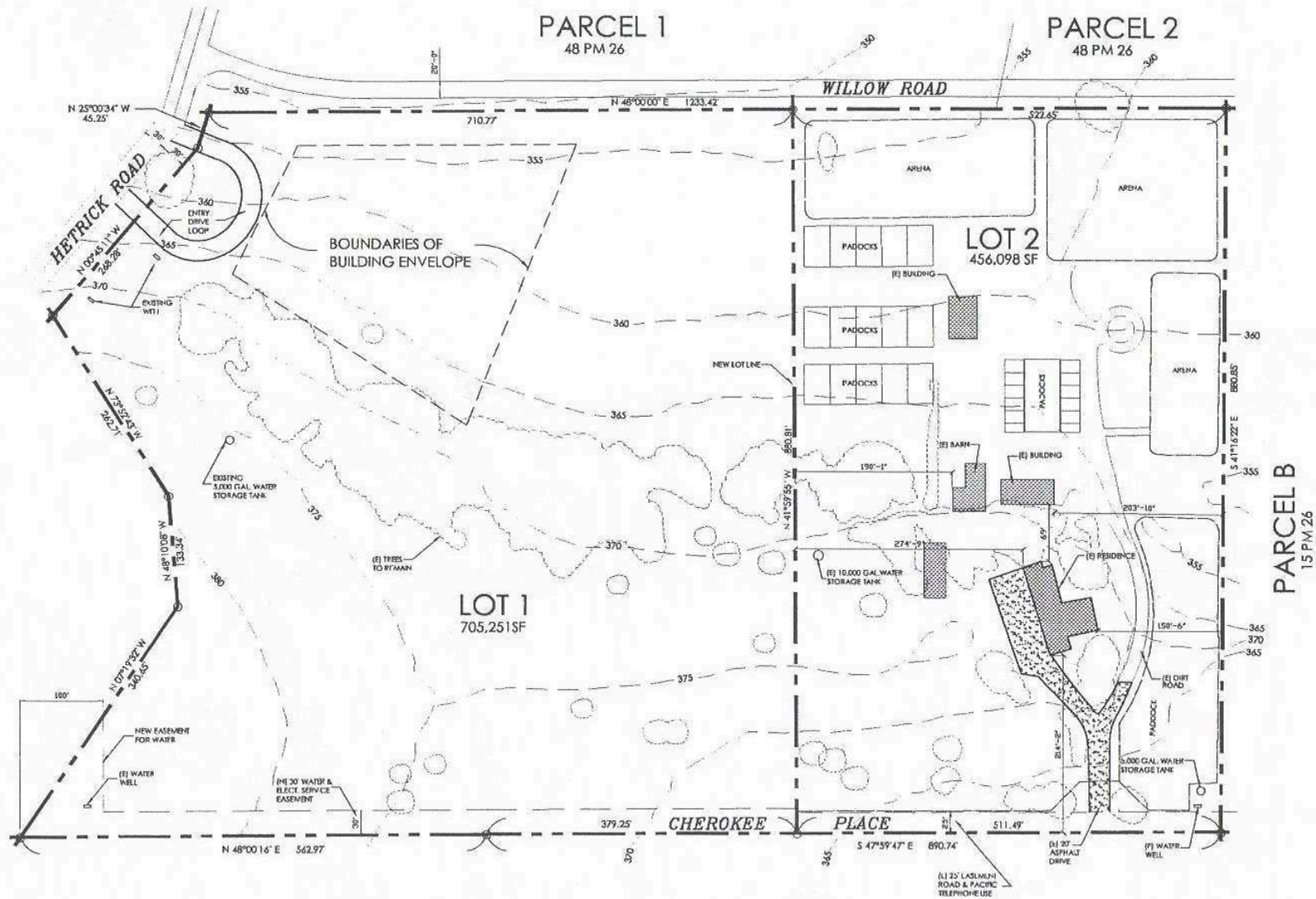
**PROJECT**

Parcel Map CO 06-0095  
Ortiz SUB2005-00266



**EXHIBIT**

Land Use Category



**PROJECT**

Parcel Map CO 06-0095  
Ortiz SUB2005-00266



**EXHIBIT**

Vesting Tentative Map



**SAN LUIS OBISPO COUNTY**  
**DEPARTMENT OF PLANNING AND BUILDING**

VICTOR HOLANDA, AICP  
DIRECTOR

September 13, 2007

AAC  
Attn: John Mack  
1141 Highland Way  
Grover Beach, CA 93433

**NOTICE OF FINAL COUNTY ACTION**

HEARING DATE: September 10, 2007

SUBJECT: **SAL AND HELEN ORTIZ**  
County File Number: SUB2005-00266 / CO 06-0095  
Document Number: **2007-035**

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$625.00 and must accompany your appeal form.

If you have any questions regarding this matter, please contact me at (805) 781-5718.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Retana".

NICOLE RETANA, SECRETARY  
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department

976 OSOS STREET, ROOM 300 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

**FINDINGS - EXHIBIT A**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 19, 2007 for this project. Mitigation measures are proposed to address Air Quality, Geology and Soils, Public Services and Utilities, Recreation, Transportation and Circulation, and Water, and are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and residential accessory uses.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling and residential accessory uses.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant fish or wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

*Road Improvements*

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR PARCEL MAP CO 06-0095 (ORTIZ)**

**Approved Project**

1. A Tentative Parcel Map (CO 06-0095) to subdivide an existing 26.66 acre parcel into two parcels of 16.19 and 10.47 acres each for the purpose of sale and/or development.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Hetrick Road and Cherokee Place widened to complete the project side of an A-1 section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. For road widening purposes 25 feet along Cherokee Place, to be described as the southeasterly 25 feet of Lots 1 and 2.
  - b. A minimum 10-foot wide detached public access trail easement located along the Hetrick Road and Willow Road frontages to the County's A-1(x) detached trail road standard. The location and design of the proposed trail easement shall be reviewed and approved by the County Parks Division prior to recordation of the map or approval of subdivision improvement plans (whichever occurs first). The trail easement shall be located (1) to minimize disturbance of existing vegetation, (2) on relatively flat land, and (3) outside of potential safety or high maintenance areas.

**Improvement Plans**

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Grading and erosion control plan for subdivision related improvement locations.
  - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - e. Trail plan, to be approved jointly with the Park Division.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

**Drainage**

7. Submit complete drainage calculations to the Department of Public Works for review and approval. Delineate limits of the 100-year flood elevation and 2-foot freeboard of existing undrained depression on Lot 1.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin(s) is to be maintained in perpetuity.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
10. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

**Utilities**

11. Electric and telephone lines shall be installed underground or overhead.
12. Cable T.V. conduits shall be installed in the street.
13. Gas lines shall be installed.

**Fire Protection**

14. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CalFire)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per letter dated June 22, 2006.

**Parks and Recreation (Quimby) Fees**

15. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

**Affordable Housing Fee**

16. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

**Landscape Plans**

17. **If a drainage basin** is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to approval of improvement plans or filing of the final parcel or tract map, whichever occurs first. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
- a. Drainage basin fencing, if the drainage basin has a depth of 2 feet or greater as measured from the top of the rim to the lowest portion of the basin.
  - b. Drainage basin perimeter landscape screening, if the basin is fenced
  - c. Landscaping for erosion control.
18. All approved landscaping shall be installed or bonded for prior to completion of the improvements or filing of the final parcel or tract map which ever occurs first, and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within 90 days of completion of the improvements.

**Additional Map Sheet**

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If a fenced drainage basin is required, that the owner(s) of lot(s) 2 is responsible for on-going maintenance of drainage basin fencing, in perpetuity.
  - b. If a drainage basin is required, that the owner(s) of lot(s) 2 is responsible for on-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
  - c. All driveways shall be constructed in accordance with County Standard Improvement Specifications and Drawings. All driveways constructed on county roads require an encroachment permit.
  - d. The limits of inundation from a 100 year storm over lots 1 and 2 from the existing undrained depression shall be shown on the additional map sheet and note the required building restriction on the sheet.
  - e. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
  - f. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated June 22, 2006 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

**Air Quality**

- g. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

## ATTACHMENT 2

1. Reduce the amount of disturbed area where possible,
  2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
  3. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  4. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
  5. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
  6. All dirt stock-pile areas should be sprayed daily as needed.
- h. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District. The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.
- i. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.
- j. Only APCD approved wood burning appliances shall be used in new residential development.

### *Biological Resources*

- k. No oak trees shall be removed or impacted by future development. **At the time of application for construction permits**, the applicant shall show any oak trees within 50 feet of construction and/or grading activities.
- l. **Prior to any site disturbance**, any oak trees within 50 feet of construction and/or grading shall be fenced for protection.

### *Water*

- m. **Prior to issuance of building permits for development on the proposed parcels**, proposed construction plans must include indoor water conservation measures including: low or dual water-use toilets, showerheads, and faucets;; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen.
- n. **Prior to final inspection of construction permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.
- o. **Prior to issuance of construction permits**, the applicant shall submit landscape plans for the proposed parcels that includes the following outdoor conservation measures: limited irrigated landscape area of 1,500 square feet, low water-use plant materials, turf area limited to 20 percent of the site's total irrigated landscaped area, soil moisture sensors, and drip irrigation systems. This does not preclude any future agricultural use on the site.
- p. **Prior to issuance of construction permits**, the applicant shall pay a supplemental water development fee for each residential unit as required by County Ordinance.

*Miscellaneous*

- q. **Prior to issuance of construction permits for Parcel 1**, the applicant shall show a minimum 50-foot setback from the existing animal enclosures on Parcel 2.

**Covenants, Conditions and Restrictions**

20. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
  - b. If a drainage basin is required, on-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - c. The limits of inundation from a 100 year storm over lots 1 and 2 from the undrained depression shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the CC&R's.
  - d. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

**Miscellaneous**

21. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
22. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS**

1. Each parcel shall have its own private well(s) for a domestic water supply approved by Environmental Health Services, except as set forth in 2d.
2. Operable water facilities shall exist prior to the filing of the final subdivision map. Evidence of adequate and potable water, shall be submitted to Environmental Health Services including the following:
  - A. Well Completion Report- The well log generated by the driller at the time the well is constructed.
  - B. Water Quality- A complete chemical analysis, to include general mineral, general physical and inorganics, shall be submitted for evaluation for each of the wells developed. Site evaluations may trigger additional testing requirements by Environmental Health Services. (Within last 5 years)
  - C. Production- On individual private wells, a minimum of a four hour pump test with draw down and recovery data by a **licensed and bonded** well driller or pump testing company, shall be submitted for review and approval for each well proposed for the subdivision. (Within last 5 years)
  - D. Shared Well System- The applicant shall contact Environmental Health Services for assistance in properly designing a shared water well system. A shared water well system review fee (said fee is separate from any fees paid through the County Planning and Building Department) shall be provided to this office prior to finaling the map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from septic systems and dry wells.
6. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.

7. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning Department for review and approval **prior to the issuance of a building permit.** Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.
8. An encroachment permit shall be obtained from County Public Works for any work to be done within the county right-of-way.
9. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
10. Any existing reservoir or drainage swale on the property shall be delineated on the map.
11. Prior to submission of the map "checkprints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
12. Required public utility easements shall be shown on the map.
13. Approved street names shall be shown on the map.
14. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of the land proposed.
15. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to recordation of the map.
16. Any private easements on the property shall be shown on the map with recording data.
17. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to recordation of the map.
18. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
19. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
20. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



Promoting the wise use of land  
Helping build great communities

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

|  |   |   |   |
|--|---|---|---|
| MEETING DATE<br>November 7, 2016   | CONTACT/PHONE<br>Jo Manson (805) 781-4660<br>jmanson@co.slo.ca.us | APPLICANT<br>Karen Lee Haynes                   | FILE NO.<br>CO 10-0001<br>SUB2009-00035 |
| <b>SUBJECT</b><br>A request for a <b>First Time Extension</b> by <b>KAREN LEE HAYNES</b> for a Vesting Tentative Parcel Map (CO 10-0001) to subdivide an existing 19.2 acre parcel into four parcels, including three parcels at 2.5 acres and one parcel at 10.97 acres, each for the sale and/or development of each proposed parcel. The project would result in the disturbance of approximately four acres of a 19.2 acre parcel, resulting from the development of future residences, a new shared driveway for proposed Lots 3 and 4, and road improvements. The project includes off-site road improvements to Badger Canyon Lane and Fox Canyon Lane. The project includes a request for an adjustment to the road requirement standards for Fox Canyon Lane to allow on-site basins in lieu of a paved shoulder. The proposed project is within the Residential Suburban land use category and is located on the northeast portion of the intersection of Badger Canyon Lane and Fox Canyon Lane, west of Corbett Canyon Road, approximately 1 mile north of the City of Arroyo Grande. The site is in the San Luis Bay (Inland) Sub-area in the South County Planning Area. |   |   |   |
| <b>RECOMMENDED ACTION</b><br>Approve the <b>first time extension request</b> for Vesting Tentative Parcel Map CO 10-0001.  |   |   |   |
| <b>ENVIRONMENTAL DETERMINATION</b><br>A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on December 9, 2010 for this project. The Negative Declaration was approved by the Subdivision Review Board on January 10, 2011.   |   |   |   |
| LAND USE CATEGORY<br>Residential Suburban  | COMBINING DESIGNATION<br>None                                     | ASSESSOR PARCEL NUMBER<br>044-501-004           | SUPERVISOR<br>DISTRICT(S): 3            |
| PLANNING AREA STANDARDS: 22.98.050 - San Luis Bay Rural Area Standards (Planning impact area, development impacts, circulation); 22.98.054 - Arroyo Grande Fringe Area Residential Suburban Standards (Preliminary wastewater and water evidence)  |   |   |   |
| LAND USE ORDINANCE STANDARDS: 22.22.070 – Residential Suburban Subdivision Design  |   |   |   |
| EXISTING USES: Single family residence, accessory uses   |   |   |   |
| SURROUNDING LAND USE CATEGORIES AND USES:<br>North: Residential Suburban / Residential uses      East: Residential Suburban / Residential uses<br>South: Residential Suburban / Residential uses      West: Residential Suburban / Residential uses  |   |   |   |
| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:<br>Vesting tentative parcel map was originally referred to Public Works, Environmental Health, Regional Water Quality Control Board, Air Pollution Control District; Cal Trans, Cal Fire, City of Arroyo Grande, LAFCO  |   |   |   |
| TOPOGRAPHY:<br>Moderately level to steeply sloping   |   | VEGETATION:<br>Oak woodland, grasses, manzanita |   |
| PROPOSED SERVICES:<br>Water supply: Individual system - well<br>Sewage Disposal: Individual septic system<br>Fire Protection: Cal Fire   |   | ACCEPTANCE DATE:<br>N/A                         |   |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:<br>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242   |   |   |   |

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 10-0001 was approved by the Subdivision Review Board on January 10, 2011 and is set to expire on January 10, 2017. The applicant has requested a **first one year time extension and paid the extension application fee on September 1, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body.

Vesting Tentative Parcel Map (CO 10-0001) is a request by Karen Lee Haynes to subdivide an existing 19.2 acre parcel into four parcels, including three parcels at 2.5 acres and one parcel at 10.97 acres, each for the sale and/or development of each proposed parcel. The project would result in the disturbance of approximately four acres of a 19.2 acre parcel, resulting from the development of future residences, a new shared driveway for proposed Lots 3 and 4, and road improvements. The project includes off-site road improvements to Badger Canyon Lane and Fox Canyon Lane. The project includes a request for an adjustment to the road requirement standards for Fox Canyon Lane to allow on-site basins in lieu of a paved shoulder.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was January 10, 2013. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 10-0001 does not qualify for this state mandated extension because the tentative approval date was on January 10, 2011.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 10-0001 does not qualify for this state mandated extension because the tentative approval date was on January 10, 2011.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 10-0001 was extended to January 10, 2015.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 10-0001 was extended to January 10, 2017.

### **Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

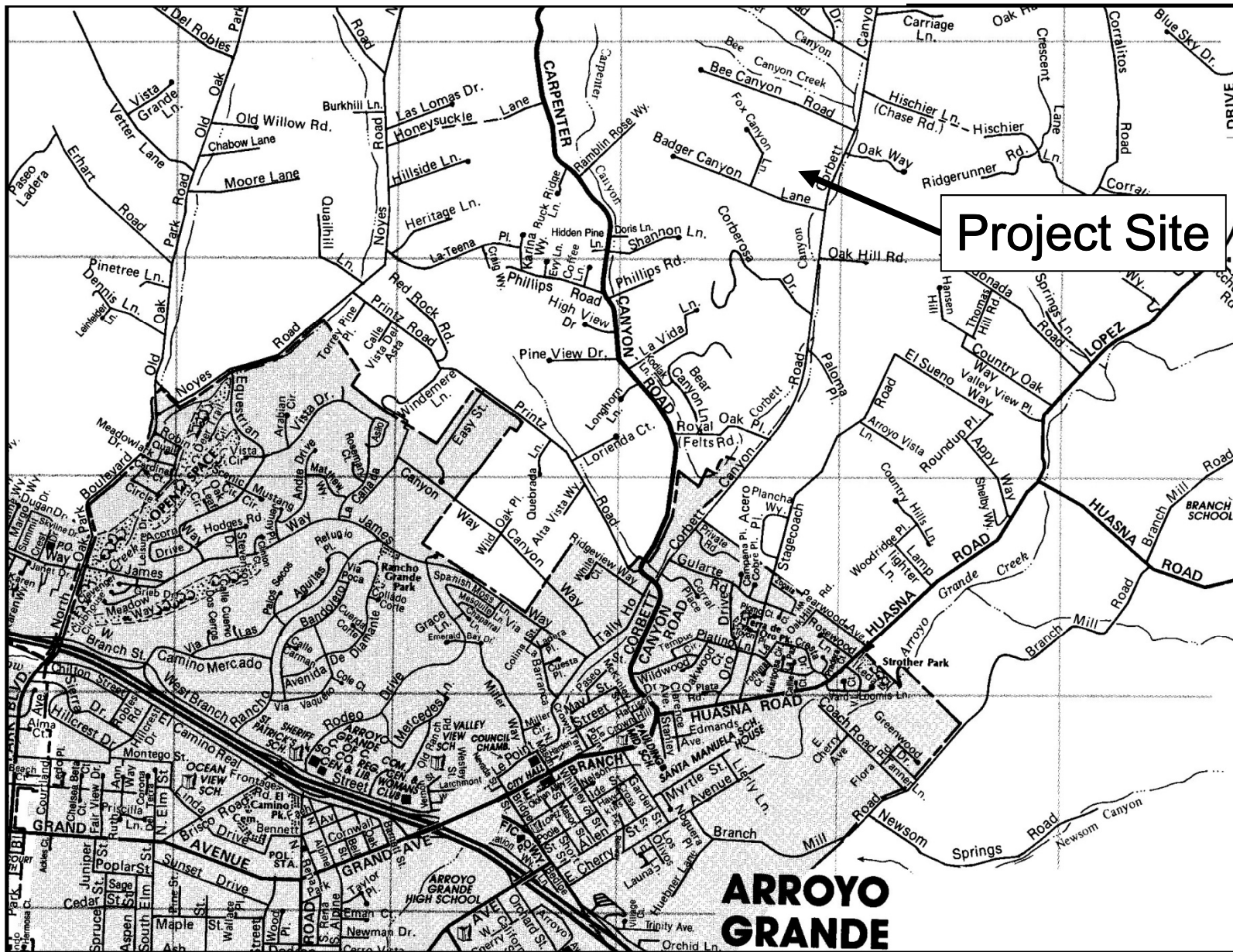
After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to January 10, 2018 subject to the conditions of approval set by the Subdivision Review Board on January 10, 2011.

### **ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, January 10, 2011

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner



Project Site

ARROYO  
GRANDE

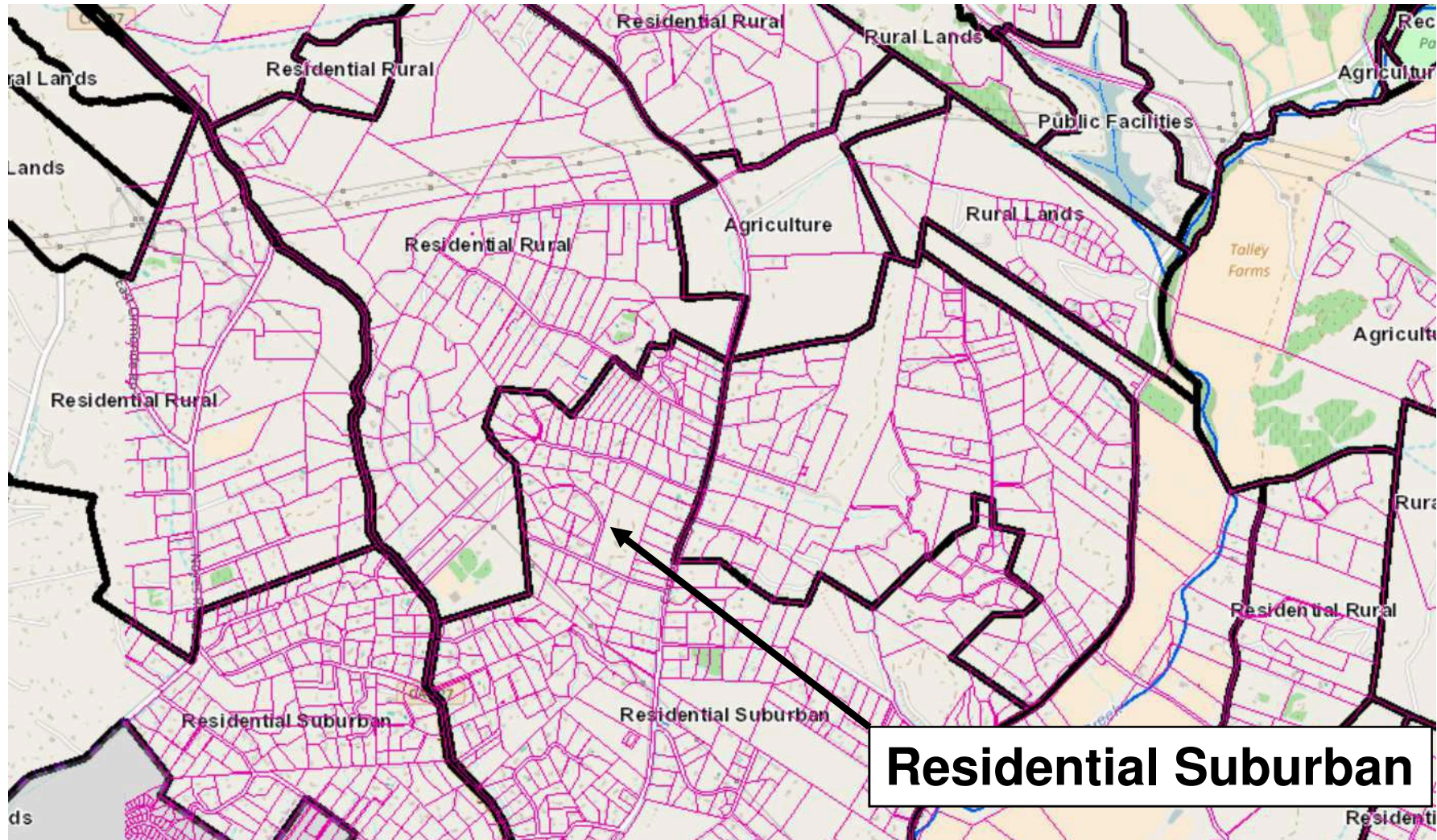
**PROJECT**

Parcel Map CO 10-0001  
Haynes SUB2009-00035



**EXHIBIT**

Vicinity Map



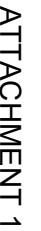
**PROJECT**

Parcel Map CO 10-0001  
Haynes SUB2009-00035



**EXHIBIT**

Land Use Category



Parcel Map CO 10-0001  
Haynes SUB2009-00035



## Site Plan



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

January 14, 2011

Dan Lloyd  
P.O. Box 3167  
Paso Robles, CA 93447

Mark & Karen Godfrey  
1760 San Luis Drive  
San Luis Obispo, CA 93401

**NOTICE OF FINAL COUNTY ACTION**

HEARING DATE: January 10, 2011

**SUBJECT: MARK AND KAREN GODFREY**  
**County File Number: SUB2009-00035**  
**Document Number: 2011-003\_SRB**

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00 and must accompany your appeal form.

If you have questions regarding your project, please contact your **Project Manager, Brian Pedrotti**, at (805) 781-5600. If you have any questions regarding these procedures, please contact me at (805) 781-5718.

Sincerely,

A handwritten signature in cursive script, reading "Nicole Retana".

NICOLE RETANA, SECRETARY  
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department

**EXHIBIT A – FINDINGS  
TENTATIVE PARCEL MAP CO010-0001**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 9, 2010 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology and soils, public services/utilities, wastewater, and water, and are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and secondary residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single family residences and secondary residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because appropriate mitigation measures have been incorporated into the project to reduce impacts below a level of significance, including a setback of development from the riparian area.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.
- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year following approval of the subdivision and prior to issuance of a permit or other grant of approval for development on a parcel.

**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP CO10-0001**

**Approved Project**

1. Vesting Tentative Parcel Map (CO10-0001) to subdivide an existing 19.2 acre parcel into four parcels, including three parcels at 2.5 acres and one parcel at 10.97 acres, each for the sale and/or development of each proposed parcel. Secondary residences shall be prohibited on Lots 1-3. A secondary residence on Lot 4 will be located within the building envelope and limited to 800 square feet.

**Access and Improvements**

2. Road and/or streets to be constructed to the following standards:
  - a. Badger Canyon Lane widened to complete an A-1(c) (rural) section from Corbett Canyon Road to Fox Canyon Lane and Fox Canyon Lane widened to complete an A-1(b) (rural) section fronting the property.
3. The applicant offer for dedication to the public be certificate on the map or by separate document:
  - a. For road widening purposes 10 feet along Badger Canyon Lane, to be described as 30 feet from the recorded centerline.
  - b. A 20 foot radius property line return at the intersection of Badger Canyon Lane and Fox Canyon Lane.
4. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
5. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.

**Improvement Plans**

6. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Grading and erosion control plan for subdivision related improvement locations.
  - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.

## ATTACHMENT 2

- e. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
- 7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- 8. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- 9. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

### **Drainage**

- 10. Submit complete drainage calculations to the Department of Public Works for review and approval.
- 11. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- 12. If the drainage basin is required for the retention of storm water run-off from public streets, the drainage basin along with the rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
- 13. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance 3143.

### **Design**

- 14. All structures shall be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel map. A demolition permit may be required.

### **Fire Protection**

15. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

### **Parks and Recreation (Quimby) Fees**

16. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Inclusionary Housing**

17. Unless exempted by Section 22.12.080.B of the Land Use Ordinance, **prior to filing the final parcel map or tract map**, the applicant shall enter into an inclusionary housing agreement to ensure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080. As an alternative, the applicant may pay the residential in-lieu fee pursuant to Section 22.12.080.C.2.b, or defer in-lieu fee payment pursuant to Section 22.12.080.J.4.c.

### **Mitigations**

18. **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate number of manzanita plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of manzanita to be replanted.
19. **Prior to recordation of the final map**, the applicant shall show the building envelopes as shown on the proposed tentative Parcel Map. All new development, including primary residences, secondary residence on Lot 4 only, storage buildings, leach fields, water tanks, and other residential accessory uses shall be constructed within the building envelopes except for the existing wells. Trenching to connect existing wells to future residences shall not impact sensitive vegetation. In addition, all other activities including vegetation clearance, horse pens, and other similar agricultural accessory uses must be conducted within the building envelope shown for Lot 4. No soil disturbance or activities except passive recreation (i.e., hiking, walking) are allowed outside of the building envelope on Lot 4.
20. **Prior to recordation of the final map**, the applicant shall submit a drainage plan for the proposed access driveway with the subdivision improvement plans, for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
21. **Prior to recordation of the final map**, the applicant shall submit a sedimentation and erosion control plan for the proposed access driveway with the subdivision improvement plans for review and approval by the Department of Planning & Building and Public Works Department.

The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.

22. **Prior to recordation of the final map**, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans, which shows the amount of cut and fill and well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.
23. **Prior to recordation of the final map**, the applicant shall provide soil borings at leach line locations showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met as required by Title 19, Building and Construction Ordinance. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Comprehensive soil borings and percolation testing will be required on proposed parcels 1 and 3 prior to map recordation. **Prior to building permit issuance**, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.
24. **Prior to recordation of the final map**, the applicant shall submit a restoration/revegetation plan that utilizes BMPs such as compost mats and/or hydroseeding to allow for native vegetation to reestablish in the already graded road areas to the northwest and south of Parcel 4's building envelope and any other unused portions of driveway.

#### **Additional Map Sheet**

25. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to issuance of construction permits.
  - b. If a fenced drainage basin is required, that the owner(s) of said lot(s) is responsible for on-going maintenance of drainage basin fencing, in perpetuity.
  - c. If a drainage basin is required, that the owner(s) of said lot(s) is responsible for on-going maintenance of drainage basin and any adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basins(s) area shall be indicated as a building restriction.
  - d. A note stating, "Lot 4 shall not be further subdivided below the existing size of 10.97 acres."
  - e. A note stating "Secondary residences shall be prohibited on Lots 1-3. A secondary residence on Lot 4 will be located within the building envelope and limited to 800 square feet."

Visual Mitigations

- f. **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface. No silhouetting of structures shall occur from public roads.
- g. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.
- h. **At the time of application for construction permits**, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent property and public roads. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

Air Quality Mitigations

- i. **Prior to issuance of grading and construction permits for both road improvements and individual lot development**, the following notes shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to site disturbance.
  - i. Reduce the amount of the disturbed area where possible;
  - ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
  - iii. All dirt stock-pile areas should be sprayed daily as needed;
  - iv. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
  - v. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;

- vi. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- vii. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- viii. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- ix. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

**Prior to commencement of construction activities**, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

- j. Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of any construction permit** to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.
- k. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the county.
- l. As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

Biological Resources and Wetlands Mitigations

- m. **During grading/construction for the proposed subdivision improvements and construction**, the applicant shall limit the manzanita (Wells' manzanita – [*Arctostaphylos wellsi*]) removal to those areas shown on the attached Exhibit D consistent with the approved replanting plan. The applicant shall replace, in kind at a 3:1 ratio, all manzanita removed as a result of the development of the project. All other construction and grading activities shall avoid impacts to the remaining manzanita on the subject property. Prior to additional manzanita removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans and consistent with the approved replanting plan.
- n. **Prior to commencement of any vegetation removal or grading work**, all manzanita to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable constructions plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- o. The newly planted manzanita shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering (e.g. drip-irrigation system). Watering should be controlled so only enough is used to initially establish the manzanita, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- p. Once the new manzanita has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- q. To minimize impacts to the sensitive habitat, the applicant agrees to the following during construction and for the life of the project:
  - i. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
  - ii. Vegetation removal of native habitat shall be limited to what is shown on the county-approved tentative tract map/additional map sheet.
  - iii. Vegetation clearance for fire safety purposes shall be limited to the building envelopes established with the tentative tract map and minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).

- r. **At the time of application for construction permits**, the applicant shall clearly delineate the building envelopes on the project plans, as shown on the proposed tentative parcel map. All new development, including primary residences, secondary residence on Lot 4 only, storage buildings, leach fields, water tanks, and other accessory uses shall be located within the building envelopes. except for the existing wells. Trenching to connect existing wells to future residences shall not impact sensitive vegetation. In addition, all other activities including vegetation clearance, horse pens, and other similar agricultural accessory uses must be conducted within the building envelope shown for Lot 4. No soil disturbance or activities except passive recreation (i.e., hiking, walking) are allowed outside of the building envelope on Lot 4.
- s. **Prior to issuance of grading or construction permits**, to minimize potential sedimentation within the wetland areas to be protected as shown on Exhibit C, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the wetland. At a minimum, straw wattles (or comparably effective devices) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.
- t. **Prior to issuance of grading or construction permits**, the applicant shall obtain all required permits for impacts to wetlands from the USACE (Nationwide Permit 14, Linear Transportation), the Regional Water Quality Control Board (Clean Water Act section 401 Certification) and the California Department of Fish and Game (Streambed Alteration Agreement).
- u. **Prior to final inspection of grading or construction permits**, the applicant shall mitigate for the loss of seasonal herbaceous wetland by creation of wetland at a 1:1 ratio of wetland lost and by an additional enhancement at a 1:1 ratio of wetland lost for a total mitigation of 2:1, or as specified by the regulating agencies. Mitigation shall consist of creating at least 300 square feet of additional wetland along the margin of the pond, and planting a 300 square foot buffer of native riparian species at the interface between the wetland and upland. The project shall be monitored for successful development of the wetland annually over a period of 5 years.
- v. **Prior to final inspection of construction permit**, the applicant shall replace, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, the applicant shall plant, in kind at a 2:1 ratio, all oak trees impacted as a result of the development of the project. No more than 4 oak trees shall be removed as a result of the development of the project and no more than 10 additional oak trees shall be impacted, but not removed (as shown on the attached Tree Protection Plan). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- w. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on

north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

- x. These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- y. Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- z. All oak trees identified to remain (see attached Tree Protection Plan) shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g. pavement); disturbance of soil that impacts roots (e.g., tilling).
- aa. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
- bb. Prior to final inspection, the applicant shall implement the restoration/revegetation plan for existing graded driveway areas.

Grading and Erosion Control Mitigations

- cc. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental drainage plan for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- dd. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental sedimentation and erosion control plan for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.

- ee. **Prior to issuance of grading or construction permits**, the applicant shall submit plans that incorporate all mitigation measures listed in the soils engineering report and slope stability analysis.

Water Resources Mitigations

- ff. **Prior to issuance of a grading or building permit**, the applicant shall provide a written statement from the water purveyor that an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.

Covenants, Conditions and Restrictions

- 26. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval and recordation along with the map. The CC&R's shall provide at a minimum the following provisions:
  - a. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous

- 27. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 28. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.
- 29. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.
- 30. **Prior to recordation of the parcel map**, the driveway on proposed Lot 4 shall utilize already disturbed alignments and the least obtrusive and least environmentally impacting locations.
- 31. **Prior to recordation of the parcel map**, the applicant shall modify the building envelope on proposed Lot 1 to avoid impacts to the five (5) oak trees as shown on the revised exhibit showing building envelopes.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS**

1. Each parcel shall have its own private well(s) for a domestic water supply approved by Environmental Health Services, except as set forth in 2d.
2. Operable water facilities shall exist prior to the filing of the final land division map. Evidence of adequate and potable water, shall be submitted to Environmental Health Services including the following:
  - A. Well Completion Report- The well log generated by the driller at the time the well is constructed.
  - B. Water Quality- A complete chemical analysis, to include general mineral, general physical and inorganics, shall be submitted for evaluation for each of the wells developed. Site evaluations may trigger additional testing requirements by Environmental Health Services. (Within last 5 years)
  - C. Production- On individual private wells, a minimum of a four hour pump test with draw down and recovery data by a **licensed** and **bonded** well driller or pump testing company, shall be submitted for review and approval for each well proposed for the subdivision. (Within last 5 years)
  - D. Shared Well System- A shared well system means a private water system consisting of 2, 3, or 4 service connections serving parcels that are at least 2.5 acres. When a shared well system is proposed the applicant shall contact Environmental Health Services for assistance in properly designing a shared water well system. A shared water well system review fee (said fee is separate from any fees paid through the County Planning and Building Department) shall be provided to Environmental Health Services prior to finaling the map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from septic systems and dry wells.
6. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.

## ATTACHMENT 2

7. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning Department for review and approval **prior to the issuance of a building permit**. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.
8. An encroachment permit shall be obtained from County Public Works for any work to be done within the county right-of-way.
9. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
10. Any existing reservoir or drainage swale on the property shall be delineated on the map.
11. Prior to submission of the map "checkprints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
12. Required public utility easements shall be shown on the map.
13. Approved street names shall be shown on the map.
14. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of the land proposed.
15. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to recordation of the map.
16. Any private easements on the property shall be shown on the map with recording data.
17. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to recordation of the map.
18. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
19. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
20. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

*Promoting the wise use of land  
Helping build great communities*

**SUBDIVISION REVIEW BOARD**

|  |  |   |  |
|--|--|---|--|
| <b>MEETING DATE</b><br>November 7, 2016  | <b>CONTACT/PHONE</b><br>Jo Manson (805) 781-4660<br>jmanson@co.slo.ca.us | <b>APPLICANT</b><br>Dennis Johansen                                       | <b>FILE NO.</b><br>CO 07-0099<br>SUB2007-00005 |
| <b>SUBJECT</b><br>A request for a <b>First Time Extension</b> by <b>DENNIS JOHANSEN</b> for a Vesting Tentative Parcel Map (CO 07-0099) to subdivide an existing 5.12 acre parcel into two parcels of 2.53 acres and 2.59 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 21,350 square feet on a 5.1 acre parcel due to future development of a residence, and approximately 17,850 square feet of road/driveway improvements. The proposed project is within the Residential Suburban land use category and is located at 9301 Santa Margarita Road, approximately 1,270 feet west of El Camino Real, north of the community of Santa Margarita. The site is in the Salinas River Sub-area in the North County Planning Area. |  |   |  |
| <b>RECOMMENDED ACTION</b><br>Approve the <b>first time extension request</b> for Vesting Tentative Parcel Map CO 07-0099.  |  |   |  |
| <b>ENVIRONMENTAL DETERMINATION</b><br>A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on September 4, 2008 for this project. The Negative Declaration was approved by the Subdivision Review Board on December 1, 2008.  |  |   |  |
| <b>LAND USE CATEGORY</b><br>Residential Suburban   | <b>COMBINING DESIGNATION</b><br>None                                     | <b>ASSESSOR PARCEL NUMBER</b><br>059-241-021                              | <b>SUPERVISOR</b><br>DISTRICT(S): 5            |
| <b>PLANNING AREA STANDARDS:</b> Planning Impact Area – Minimum parcel size- Atascadero Colony, shared driveways  |  |   |  |
| <b>LAND USE ORDINANCE STANDARDS:</b><br>Land Divisions in the Residential Suburban land use category   |  |   |  |
| <b>EXISTING USES:</b> Single-family residence with accessory buildings   |  |   |  |
| <b>SURROUNDING LAND USE CATEGORIES AND USES:</b><br>North: Residential Suburban / residential<br>South: Residential Suburban / residential<br>East: Residential Suburban / residential<br>West: Residential Suburban / residential   |  |   |  |
| <b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b><br>Vesting tentative parcel map was originally referred to Santa Margarita Area Council, Public Works, Environmental Health, County Parks, Cal Fire, APCD, Building Division, RWQCB, City of Atascadero, Santa Margarita Fire, Addressing, and CSA 23  |  |   |  |
| <b>TOPOGRAPHY:</b><br>Nearly level to very steeply sloping   |  | <b>VEGETATION:</b><br>Grasses, San Luis Obispo mariposa lilies, oak trees |  |
| <b>PROPOSED SERVICES:</b><br>Water supply: Atascadero Mutual Water<br>Sewage Disposal: Individual septic system<br>Fire Protection: Cal Fire   |  | <b>ACCEPTANCE DATE:</b><br>N/A  |  |
| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:<br/>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>   |  |   |  |

## TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map CO 07-0099 was approved by the Subdivision Review Board (SRB) on December 1, 2008 and was set to expire on December 1, 2016. The applicant has requested a **first one year time extension and paid the extension application fee on September 19, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body.

Vesting Tentative Parcel Map (CO 07-0099) is a request by Dennis Johansen to subdivide an existing 5.12 acre parcel into two parcels of 2.53 acres and 2.59 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 21,350 square feet on a 5.1 acre parcel due to future development of a residence, and approximately 17,850 square feet of road/driveway improvements.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

## DISCUSSION

### The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was December 1, 2010. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 07-0099 does not qualify for this state mandated extension because the tentative approval date was on December 1, 2008.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 07-0099 was extended to December 1, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 07-0099 was extended to December 1, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 07-0099 was extended to December 1, 2016.

**Staff Determination and Recommendation**

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

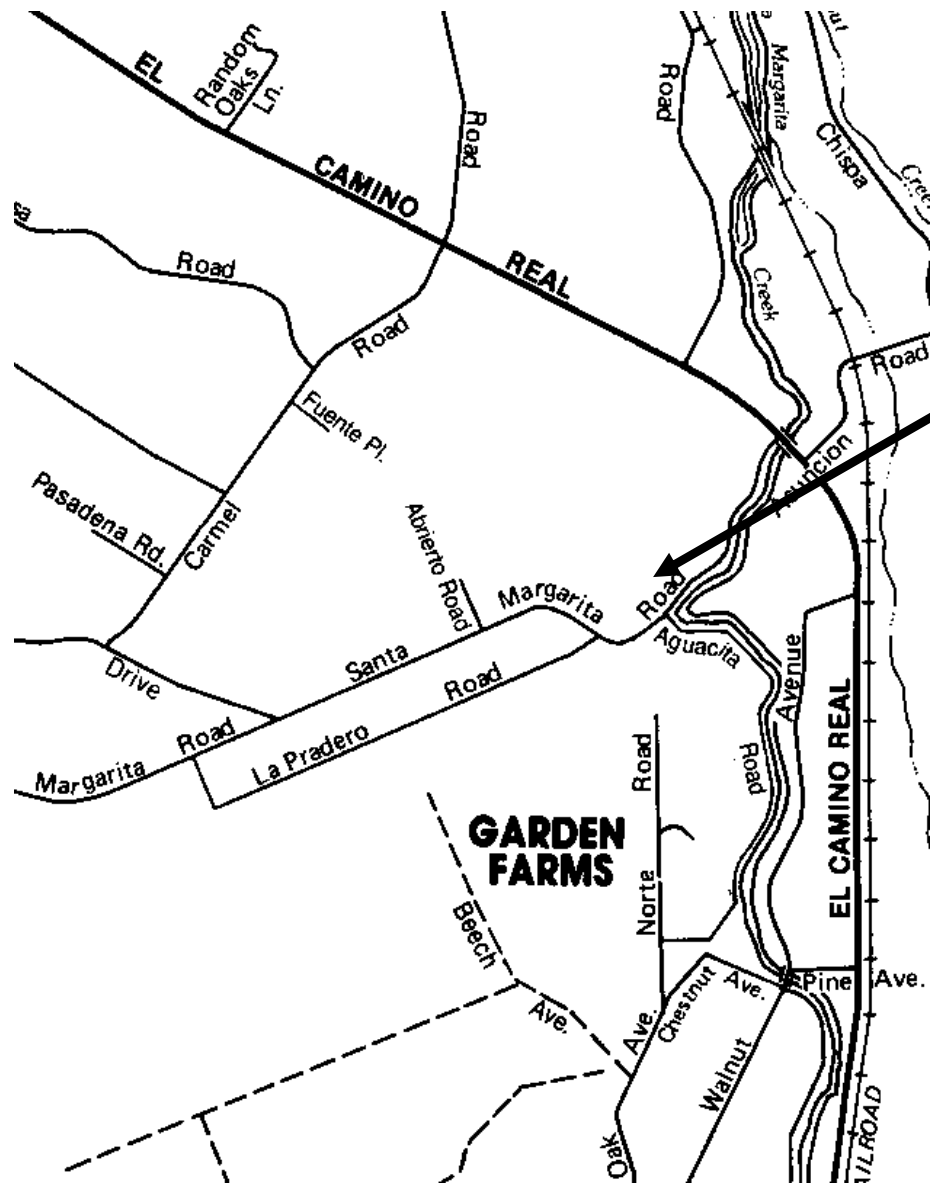
After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **first one year time extension** be granted to December 1, 2017 subject to the conditions of approval set by the Subdivision Review Board on December 1, 2008.

**ATTACHMENTS**

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, December 1, 2008

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner



**SITE**

**PROJECT**

Parcel Map CO 07-0099  
Johansen SUB2007-00005



**EXHIBIT**

Vicinity Map



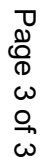
**PROJECT**

Parcel Map CO 07-0099  
Johansen SUB2007-00005



**EXHIBIT**

Land Use Category



Parcel Map CO 07-0099  
Johansen SUB2007-00005



## Vesting Tentative Map



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

December 5, 2008

Dennis and Jane Johansen  
766 Higuera Street  
San Luis Obispo, CA 93401

**NOTICE OF FINAL COUNTY ACTION**

HEARING DATE: December 1, 2008

SUBJECT: **DENNIS AND JANE JOHANSEN**  
**County File Number: SUB2007-00005 / CO 07-0099**  
**Document Number: 2008-034**

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$560.00 and must accompany your appeal form.

If you have any questions regarding this matter, please contact me at (805) 781-5718.

Sincerely,

NICOLE RETANA, SECRETARY  
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department

**FINDINGS - EXHIBIT A**

***Environmental Determination***

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 4, 2008 for this project. Mitigation measures are proposed to address biological and air quality and are included as conditions of approval.

***Tentative Map***

- B. The proposed map is consistent with applicable county general and specific plans because it complies with Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of residential uses.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a residential dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the applicant has agreed to the biological mitigations as stated in the Developer's Statement to reduce the site impacts to less than significant value.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

**CONDITIONS - EXHIBIT B**

**Approved Project**

1. A Vesting Tentative Parcel Map (CO 07-0099) to subdivide an existing 5.12 acre parcel into two parcels of 2.53 acres and 2.59 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 21,350 square feet on a 5.1 acre parcel due to future development of a residence, and approximately 17,850 square feet of disturbance due to possible road/driveway improvements.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
  - a. Un-Named access road to Parcel 1 constructed to Cal Fire Access Road standards within a minimum 25-foot access easement and terminating in a Cal Fire standard cul-de-sac or Cal Fire approved hammer head turnaround as shown on the Tentative Parcel Map. Shall be shown on an additional Map Sheet
3. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code or current requirements adopted by the county that pertain to grading. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Drainage**

4. Submit complete drainage calculations to the Department of Public Works for review and approval.
5. If calculations so indicate, drainage must be retained or detained in a drainage basin on the property. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin(s) is to be maintained in perpetuity.
6. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. reserved as a drainage easement in favor of the owners and assigns.

**Utilities**

7. All new electric and telephone lines shall be installed underground or overhead and service lateral stubbed to each lot (rural areas).
8. Cable T.V. conduits shall be installed in the street.
9. Gas lines shall be installed.

**Design**

10. The lot areas of proposed Parcel 1 and Parcel 2 shall each contain a minimum area of 2.5 acres gross.

**Parks and Recreation (Quimby) Fees**

11. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on.

**Affordable Housing Fee**

12. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

**Fire Protection**

13. Prior to filing the final parcel or tract map, the applicant shall obtain a fire safety clearance letter from the California Department of Forestry (Cal Fire)/County Fire Department establishing fire safety requirements of the updated Fire Safety letter dated November 5, 2008 and correspondence dated, November 18, 2008, and December 1, 2008.

**Additional Map Sheet**

14. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

**Drainage Basin**

- a. If a fenced drainage basin is required, that the owner(s) of lot(s) 1 and 2 is responsible for on-going maintenance of drainage basin fencing, in perpetuity.
- b. If a drainage basin is required, that the owner(s) of lot(s) 1 and 2 is responsible for on-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
- c. Notification to prospective buyers that streets/roads within the subdivisions are to be privately maintained, indicating the proposed maintenance mechanism.

**Air Quality**

- d. All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/grading permit issuance.
  1. Reduce the amount of the disturbed area where possible,
  2. Use water trucks or sprinklers system in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
  3. All dirt stockpile areas should be sprayed daily as needed,
  4. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and
  5. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- e. Prior to issuance of a grading permit, the applicant shall provide geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filled with the Air Pollution Control District. If asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM.
- f. Prior to issuance of any construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air

Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

- g. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. Prior to construction permit issuance, such devices shall be shown on all applicable plans, and installed as approved by the county.
- h. Prior to construction permit issuance, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
- i. The Air Pollution Control District prohibits the burning of vegetative materials.
- j. At the time of application for construction permits, the applicant shall submit comprehensive soil testing to the County Environmental Health Division for review.

**Water**

- k. Atascadero Mutual Water Company requires each parcel to have a separate water service. The applicant shall illustrate the proposed location of the water service for each proposed new parcel.

**Biological**

- l. Prior to map recordation, the applicant shall enter into an open space agreement with the county in perpetuity for the areas specified on attached Exhibit C. The intent of the open space agreement is primarily to protect the San Luis Obispo mariposa lily. All allowed activities or uses within this open space area shall be limited to what is specified in the agreement/easement, and shall be passive in nature and not adversely impact the identified sensitive biological resources. The easement shall be managed as annual grassland. No grazing, no landscaping, no orchard plantings and no ground disturbance shall be allowed within the easement area. The easement area may be mowed at 4 inches before April 15th and again after July 30th to allow the plant to flower and release seed between mowings.

**Access and Improvements**

- m. Roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
  - 1. Un-Named access road to Parcel 1 constructed to Cal Fire Access Road standards within a minimum 25-foot access easement and terminating in a Cal Fire standard cul-de-sac or Cal Fire approved hammer head turnaround as shown on the Tentative Parcel Map. Shall be shown on an additional Map Sheet

**Trees**

- n. Trees along the un-named access road to Parcel 1 shall be limed up and maintained at a height of 13'5". No oak tree removal is required.

**Miscellaneous**

15. The garage on proposed Parcel 2 shall be brought into conformance with the Land Use Ordinance prior to the recordation of the parcel map. Because the garage does not meet the minimum setback of 30 feet, an adjustment from the required setbacks may be required from Cal Fire in accordance with Section 22.54.020.F of the Land Use Ordinance.
16. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
17. All timeframes on approved tentative maps for filing of final parcel are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.
18. The subdivider shall as a condition of approval of this tentative or final map application defend, indemnify and hold harmless the County of San Luis Obispo or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul any approval of the County concerning this subdivision, which action is brought within the time period provided for by law. This condition is subject to the provisions of Government Code section 66474.9, which are incorporated by reference herein as though set forth in full.
19. Prior to map recordation, full soils testing results consisting of 3 percolation tests and 1 deep boring shall be submitted to County Environmental Health for review and approval. Soils testing shall take place in the area where the septic system is proposed on Parcel 1.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING  
COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may not occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from the County Health Department.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Code).
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek bank, drainage swale or area subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal system shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from a leach field, two hundred and fifty (250) feet from seepage pits or dry wells.
10. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.

## ATTACHMENT 2

11. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning and Environmental Health Services for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
12. An encroachment permit shall be obtained from County Public Works for any work to be performed within the county right-of-way.
13. An encroachment permit shall be obtained from the California Department of Transportation for any work to be performed on the state highway.
14. Any existing reservoir or drainage swale on the property shall be delineated on the map.
15. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
16. Required public utility easements shall be shown on the map.
17. Approved street names shall be shown on the map.
18. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
19. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
20. Any private easements on the property shall be shown on the map with recording data.
21. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
22. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
23. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
24. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



## DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

### SUBDIVISION REVIEW BOARD

Promoting the wise use of land

|   |  |   |  |
|---|--|---|--|
| MEETING DATE<br>November 7, 2016  | CONTACT/PHONE<br>James Caruso (805)781-5702<br>jcaruso@co.slo.ca.us  | APPLICANT<br>Serenade Homes                           | FILE NO.<br>COAL15-0028<br>SUB2014-00065 |
| SUBJECT<br>A request by <b>SERENADE HOMES LLC</b> for a Lot Line Adjustment /Coastal Development Permit (SUB2014-00065 / COAL15-0028) to adjust the lot lines between two (2) parcels of 98.5 acres and 31.8 acres, resulting in two (2) parcels of 73.3 acres and 54.6 acres. The project will not result in the creation of any additional parcels. The project site is within the Rural Lands land use category and is within the Coastal Zone. The lots are located along Avila Beach Drive approximately ¼ mile west of Ontario Road in the San Luis Bay Planning Area east of the community of Avila Beach. |  |   |  |
| RECOMMENDED ACTION<br>Approve Lot Line Adjustment COAL15-0028 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.   |  |   |  |
| ENVIRONMENTAL DETERMINATION<br>This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].   |  |   |  |
| LAND USE CATEGORY<br>Rural Lands  | COMBINING DESIGNATION<br>Local Coastal Plan Area, Geologic Study Area, Sensitive Resource Area, Archaeologically Sensitive Area, Coastal Appealable Zone | ASSESSOR PARCEL NUMBER<br>076-231-069 and 076-231-070 | SUPERVISOR DISTRICT(S)<br>3              |
| PLANNING AREA STANDARDS:<br>Local Coastal Plan, Archaeologically Sensitive Area, Sensitive Resource Area, Geologic Study Area   |  |   |  |
| LAND USE ORDINANCE STANDARDS:<br>Section 21.02.030 – Lot Line Adjustments<br>Section 23.04.025 – Minimum Parcel Size – Rural Lands Category<br>Section 23.07.104 – Archaeologically Sensitive Area<br>Section 23.07.170 – Environmentally Sensitive Habitat Area  |  |   |  |
| EXISTING USES:<br>Mostly undeveloped, two old abandoned buildings, and oak trees.   |  |   |  |
| SURROUNDING LAND USE CATEGORIES AND USES:<br><i>North:</i> Rural Lands / Residences<br><i>East:</i> Recreation / Avila Barn<br><i>South:</i> City of Pismo Beach / Top of Ontario Ridge / Vacant land and Single Family Residences<br><i>West:</i> Open Space / Dense Oak Woodland and Public trails  |  |   |  |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:<br>COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242  |  |   |  |

|   |  |
|---|--|
| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:<br>The project was referred to: Public Works, Environmental Health, Avila CSD, U.S. Fish and Wildlife, Coastal Commission, Community Liaison, Native American Heritage Commission, Avila Valley Advisory Council |  |
| TOPOGRAPHY:<br>Moderately sloping to Very steeply sloping   | VEGETATION:<br>Dense coverage of Oak Trees |
| PROPOSED SERVICES:<br>Water supply: On-site well<br>Sewage Disposal: Individual septic system<br>Fire Protection: Cal Fire, Avila CSD   | ACCEPTANCE DATE:<br>September 30, 2016     |

### **ORDINANCE COMPLIANCE:**

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

| <b>PARCEL</b> | <b>EXISTING LOT SIZES (ACRES)</b> | <b>ADJUSTED PARCEL SIZES (ACRES)</b> |
|---------------|-----------------------------------|--------------------------------------|
| 1             | 31.8                              | 54.6                                 |
| 2             | 98.5                              | 73.3                                 |

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to allow for both parcels to have sections of minor sloping land for construction of residential buildings on both lots. This change will also result in more equal sized parcels. Therefore, the adjustment will maintain a position which is better than the existing situation relative to the county's Coastal Zone Land Use Ordinance.

### **SAN LUIS BAY AREA PLAN**

The proposed project site is located in the San Luis Bay Planning Area. The site is also located in the Ontario Ridge Sensitive Resource Area (SRA). The SRA requires an open space agreement for lands on the "slopes of Ontario Ridge". The project has been conditioned to record such an agreement.

The proposed project is affected by three planning area standards for the Rural Lands land use category. These standards require development plan approval for new development, open space preservation and limitations of allowed uses:

1. Permit Requirement. Development Plan approval is required for all uses adjacent to Avila Road or Cave Landing Road.

*Future development shall require Development Plan approval.*

2. Open Space Preservation. New development proposals are to include provisions for guaranteeing preservation of the steep wooded slopes south of Avila Road extending to Ontario Ridge. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantee is not to grant public access unless desired by the property owner.

*The project has been conditioned to record an open space agreement.*

3. Limitation on Use. Uses allowed by Coastal Table O, Part I of the Land Use Element shall be limited to: agricultural accessory structures; animal raising and keeping; crop production and grazing; nursery specialties; specialized animal facilities; residential accessory uses; single family dwellings; temporary dwellings; accessory storage; pipelines and power transmission; rural sports and group activities; coastal accessways; and water wells and impoundment.

*No specific development beyond the proposed lot line adjustment is proposed at this time. Future land uses shall be limited to those allowed by this Planning Area Standard.*

## **COASTAL ZONE LAND USE ORDINANCE**

The site is located in a Sensitive Resource Area and an Environmentally Sensitive Habitat Area (ESHA) consisting of wetlands and coastal streams. Sensitive Resource Area findings require the development to not significantly affect the resource:

1. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.
2. Natural features and topography have been considered in the design and siting of all proposed physical improvements.
3. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
4. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

*The proposed lot line adjustment creates building areas on each resultant parcel located in areas under 20% slope, outside the 100 foot setbacks from wetlands (see below) and at least 50 feet from the edge of riparian vegetation along on site coastal streams.*

Projects located in ESHA require additional findings:

1. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
2. The proposed use will not significantly disrupt the habitat.

*The resulting parcels will direct development to the lower area of the site where slopes are under 20% and adequate setbacks from ESHA can be maintained.*

Wetland Setbacks

CZLUO section 23.07.172 requires development to be set back at least 100 feet from wetlands. The building areas identified on each proposed parcel will provide sufficient area for all development to meet this setback.

*The location of ESHA such as wetlands and coastal streams are based on both a recent biological report and the information contained in the Final EIR prepared for an earlier project on the site. Areas of additional ESHA were identified in the 2004 project Final EIR prepared for this site. Proposed ESHA setbacks area based on both the recent biological report and the earlier Final EIR work. The use of the 2004 data assures that any area that may have supported ESHA in the recent past will continue to be protected.*

#### Government Code Section 66412(d) – Lot Line Adjustments

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan.

## TITLE 21

The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. As noted above, parcel one will increase in size from 31.8 acres to 54.6 acres and parcel two will decrease in size from 98.5 acres to 73.3 acres. Although the parcel sizes are currently below minimum parcel size as set through the General Plan and will remain so after the adjustment, the proposed parcels will be an improvement because the new configurations allow for more environmentally sensitive building sites and more nearly equalized parcel sizes. Staff has concluded that the adjustment is consistent with both state and local law.

#### COASTAL PLAN POLICIES:

Shoreline Access: ☒ Policy No(s): 1  
Recreation and Visitor Serving: N/A  
Energy and Industrial Development: N/A  
Commercial Fishing, Recreational Boating and Port Facilities: N/A  
Environmentally Sensitive Habitats: ☒ Policy No(s): 1  
Agriculture: N/A  
Public Works: ☒ Policy No(s): 1  
Coastal Watersheds: N/A  
Visual and Scenic Resources: ☒ Policy No(s): 1  
Hazards: ☒ Policy No(s): 7  
Archeology: N/A  
Air Quality: N/A

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

#### COASTAL PLAN POLICY DISCUSSION:

##### ***Shoreline Access***

Policy 1: Protection of Existing Access. Development shall not interfere with the public's right of access to the sea.

*Staff Response: The proposed project complies with this policy. The project will not prevent shoreline access via the public Ontario Ridge Trail.*

### **Environmentally Sensitive Habitats**

Policy 1: Land Use Within or Adjacent to Environmentally Sensitive Habitats. New development within or adjacent to locations of environmentally sensitive habitats shall not significantly disrupt the resource.

*Staff Response: The proposed project complies with this policy. No sensitive resources will be disrupted by the adjustment of the parcel lines and establishment of the proposed building envelopes.*

### **Public Works**

Policy 1: Availability of Service Capacity. New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

*Staff Response: The proposed project complies with this policy. The applicant has shown that future development will have adequate private on-site water and waste disposal systems.*

### **Visual and Scenic Resources**

Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved, protected, and in visually degraded areas restored where feasible.

*Staff Response: The proposed project complies with this policy. The sensitive habitat within the parcels will not be affected by the lot line adjustment and development within the proposed building envelopes.*

### **Hazards**

Policy 7: Geologic Study Area Combining Designation. The GSA combining designation in coastal areas of the county is amended to include all coastal bluffs and cliffs greater than 10 feet in vertical relief and that are identified in the Assessment and Atlas of Shoreline Erosion as being critical to future or present development.

*Staff Response: The proposed project is located within the Geologic Study Area Combining Designation due to the steeply sloping land. With the new parcel configurations geologic hazards can be lessened since building areas will be on less steep areas of each parcel.*

## **PARKS AND RECREATION ELEMENT**

The County General Plan Parks and Recreation Element identifies a future trail along Ontario Ridge (Table A2). The 25 foot wide proposed trail alignment is on the project site at the top elevation of the property. All future residential development will be located at the lowest portion of the site and will have no effect on the trail. A condition of approval has been included to require this trail dedication.

**AVILA VALLEY ADVISORY COMMITTEE**

AVAC unanimously supported the proposed lot configuration as better than the existing lot configuration (see attached letter).

**LEGAL LOT STATUS:**

The *number of existing* lots were legally created ***by deed*** at a time when that was a legal method of creating lots.

Staff Report prepared by James Caruso, Senior Planner and reviewed by Terry Wahler, Senior Planner

**SUB2014-00065  
FINDINGS - EXHIBIT A**

*Environmental Determination*

- A. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].

*Lot Line Adjustment*

- B. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the resulting parcels will be a betterment of the situation because they will contain buildable areas with slopes under 20%, are at least 100 feet from wetlands and 50 feet from coastal streams, and more nearly equalize parcels sizes.

*Coastal Access*

- C. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

*ESHA Setback*

- D. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
- E. The proposed use will not significantly disrupt the habitat.

*Sensitive Resource Area*

- F. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.
- G. Natural features and topography have been considered in the design and siting of all proposed physical improvements.
- H. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- I. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

Attachment 2  
**SUB2014-00065**  
**CONDITIONS - EXHIBIT B**

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance.
2. If a parcel map is filed, it shall show:
  - a. All public utility easements.
  - b. All approved street names.
  - c. A tax certificate.
3. Any private easements described in the title report must be shown on the parcel map, with recording data.
4. When the parcel map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
5. All conditions of approval herein specified are to be complied with prior to the recordation of the parcel map or certificates of compliance which effectuate the adjustment. Recordation of a parcel map is at the option of the applicant. However, if a parcel map is not filed, recordation of a certificate of compliance is mandatory.
6. The parcel map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
7. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
8. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
9. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the parcel map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
10. All approval timeframes for lot line adjustments are measured from the date the Review Authority approves the lot line adjustment, not from the date a time extension request may be acted on.

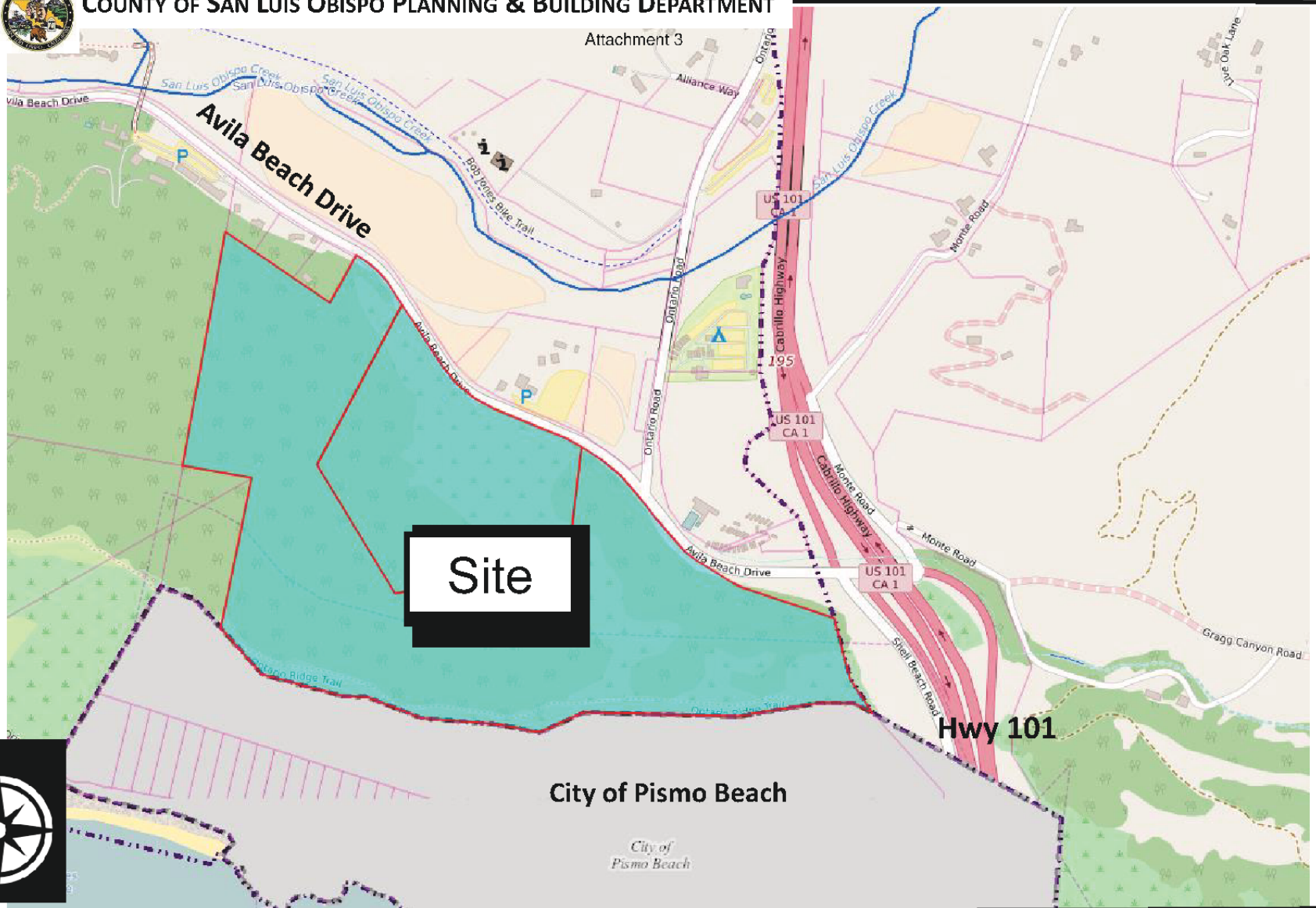
**Coastal Development Permit**

11. Prior to recordation of a parcel map or certificates of compliance finalizing the lot line adjustment, the applicant shall enter into an open space agreement, in a form approved by County Counsel that places all areas outside the building areas in an open space easement.

12. All future development including grading shall be located wholly within the identified building areas of each parcel.
13. Prior to recordation of a parcel map or certificates of compliance finalizing the lot line adjustment, the applicant shall record a 25 foot wide trail easement on Ontario Ridge in a form and in a location approved by County Counsel and the County Parks Department.

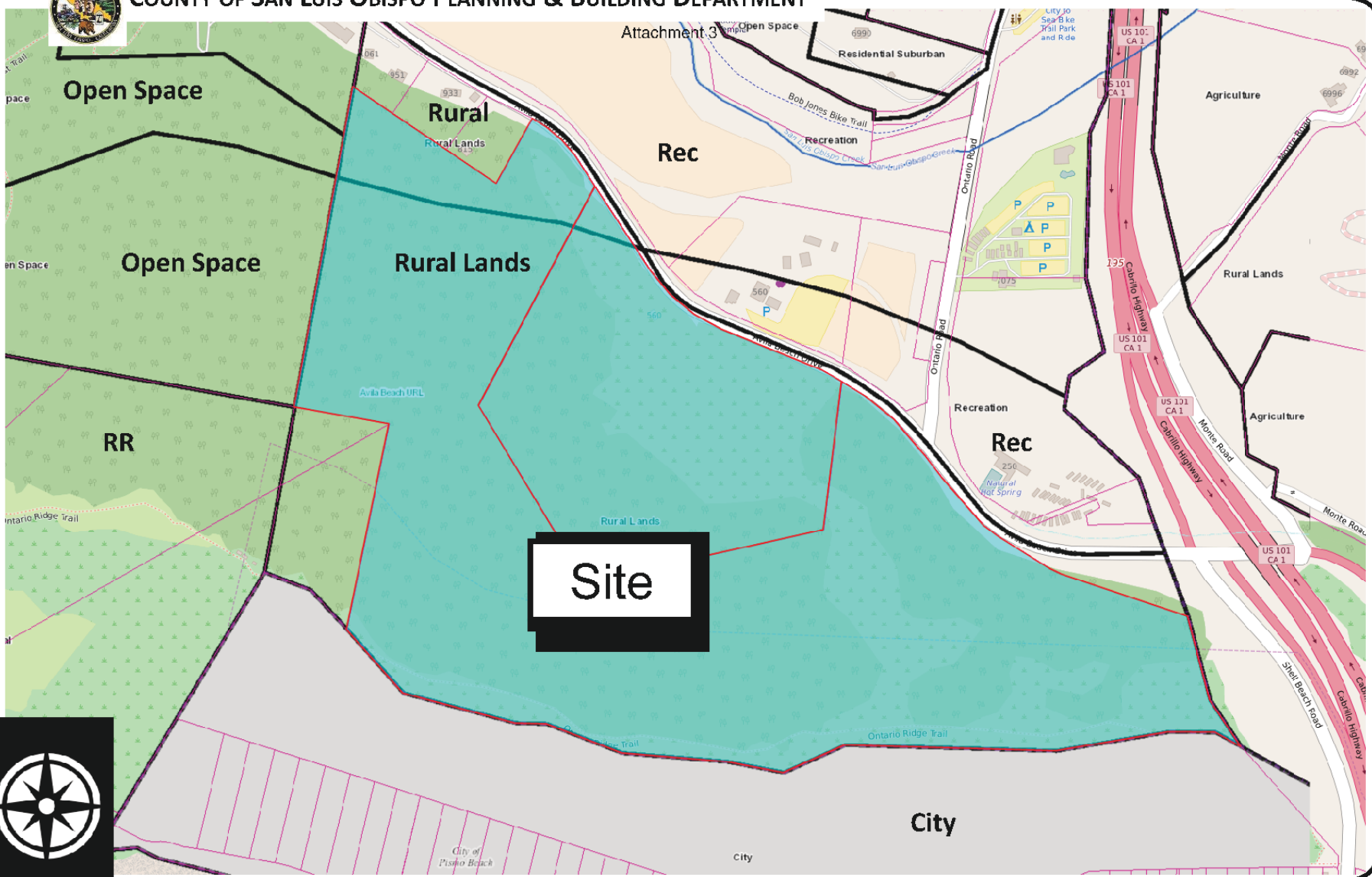


Attachment 3



Lot Line Adjustment  
SUB2014-00065

Vicinity Map



Lot Line Adjustment  
SUB2014-00065

Land Use Category Map



Attachment 3

Avila Blvd UPL

San Luis Obispo County

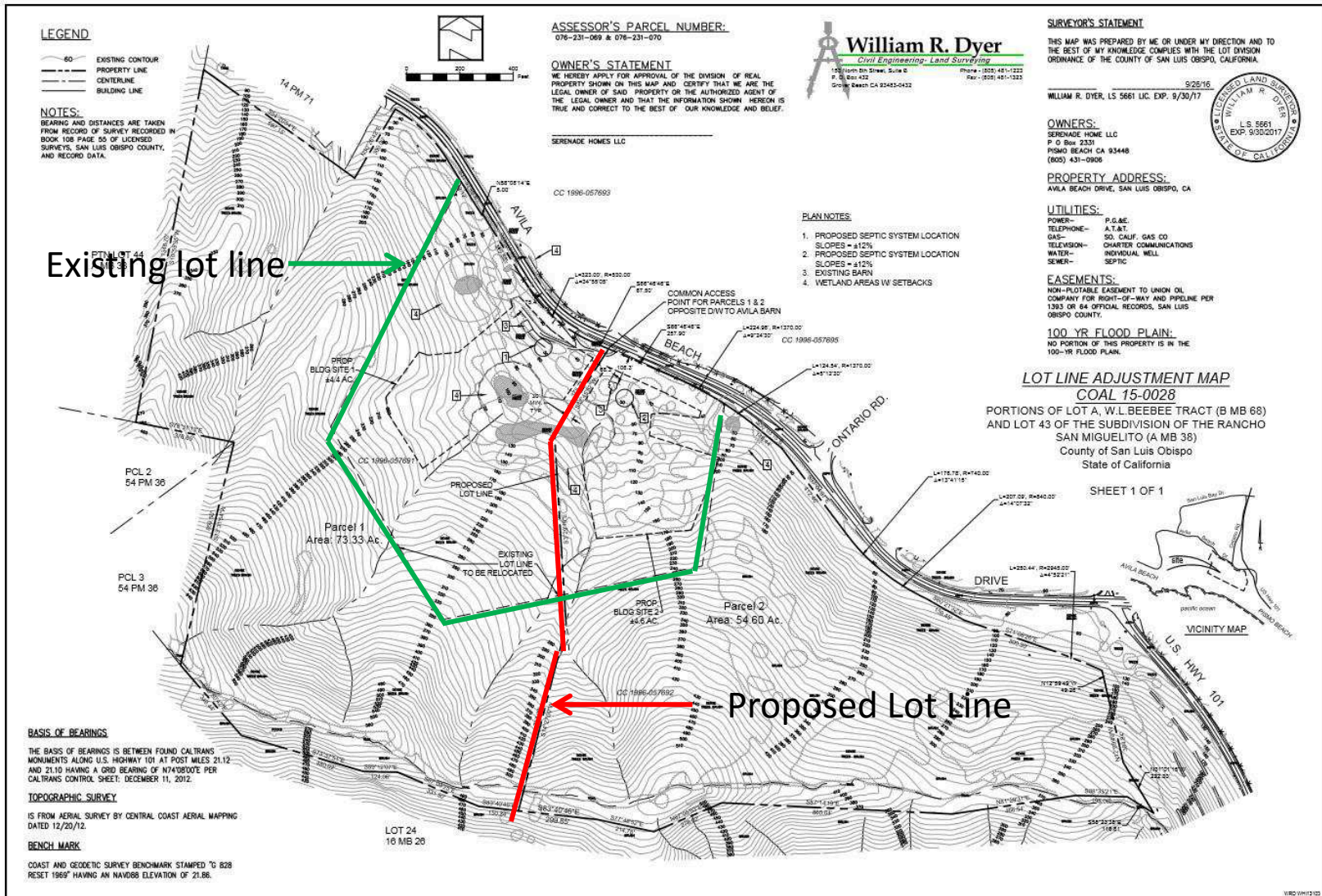
Site

City of  
Pismo Beach



Lot Line Adjustment  
SUB2014-00065

Aerial Photograph



***Avila Valley Advisory Council***

***San Luis Obispo County, California***

***P.O. Box 65***

***Avila Beach, CA 93424 [www.avac-avila.org](http://www.avac-avila.org)***

